



# LRC Research Training

For Professor Lobel's  
Entrepreneurship and  
IP Law Seminar  
Fall 2019

*LRC Reference Desk:*

(619) 260-4612

[lrcrefer@san Diego.edu](mailto:lrcrefer@san Diego.edu)

# What we will cover

- Picking a paper topic
- Literature review
  - Evaluating sources
  - Books & articles
  - Law and other disciplines
  - USD and other libraries
- Web tools
- Ensuring academic integrity



# PICKING A PAPER TOPIC

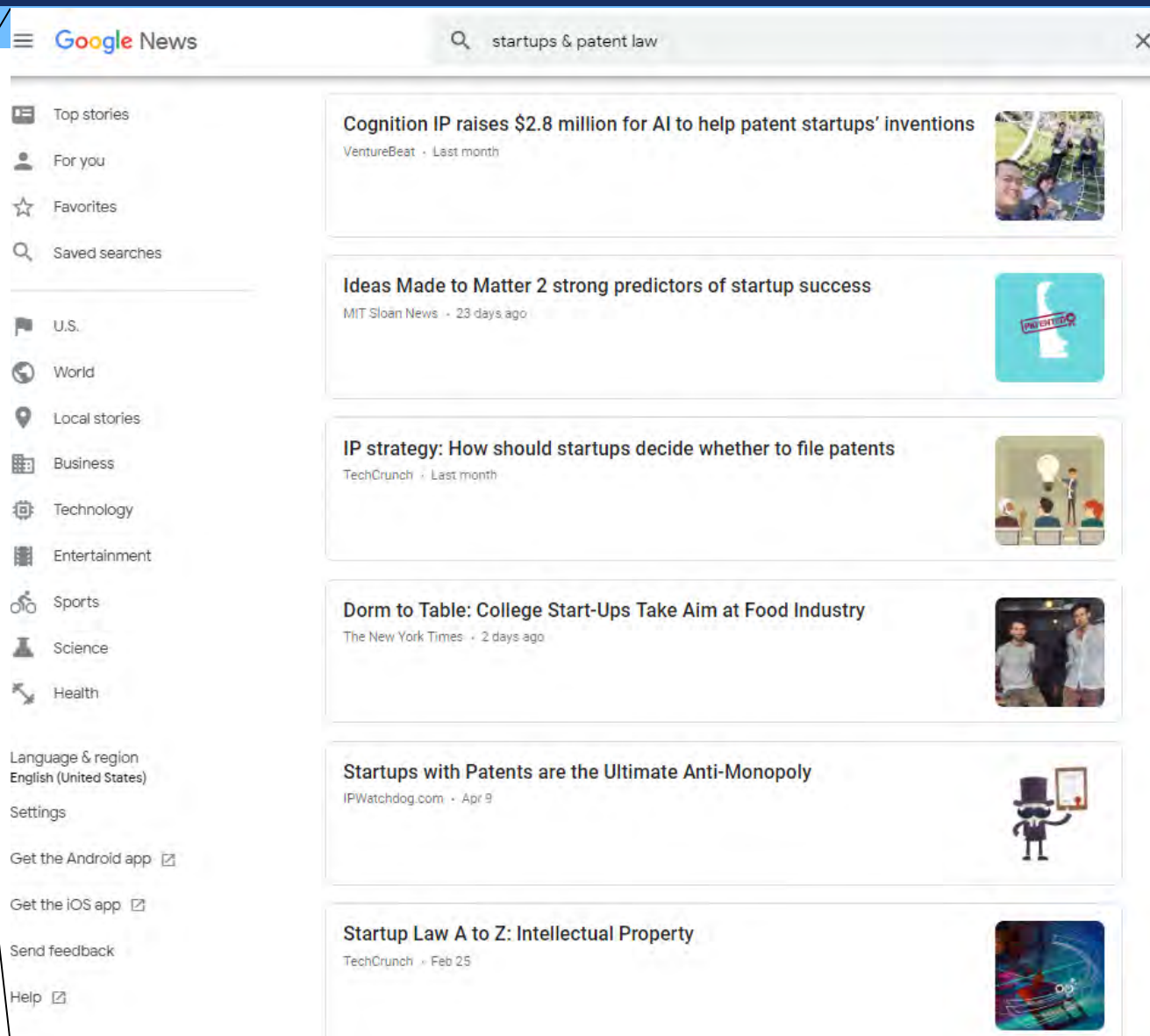
# News & blogs



news.google.  
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--

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The screenshot shows the Google News interface with a search for "startups & patent law". The left sidebar contains navigation options: Top stories, For you, Favorites, Saved searches, U.S., World, Local stories, Business, Technology, Entertainment, Sports, Science, and Health. Below these are options for Language & region (English (United States)), Settings, and links to download the Android and iOS apps, along with feedback and help links. The main content area displays six news items:

- Cognition IP raises \$2.8 million for AI to help patent startups' inventions** (VentureBeat · Last month)
- Ideas Made to Matter 2 strong predictors of startup success** (MIT Sloan News · 23 days ago)
- IP strategy: How should startups decide whether to file patents** (TechCrunch · Last month)
- Dorm to Table: College Start-Ups Take Aim at Food Industry** (The New York Times · 2 days ago)
- Startups with Patents are the Ultimate Anti-Monopoly** (IPWatchdog.com · Apr 9)
- Startup Law A to Z: Intellectual Property** (TechCrunch · Feb 25)

# Reliable sources

- Evaluate sources for:
  - **Authority** – author is identified, reputable, credentialed
  - **Objectivity** – fairness, lack of bias
  - **Accuracy** – provides references to sources, verifiable
  - **Scope** – relevant to your topic and argument
  - **Currency** – may vary by topic, but make sure you know the current state of thinking in your field (even if it's rooted in older writings)

# Current Awareness Tools



## Current news by practice area

- [Bloomberg Law](#): practice centers for IP, tech, employment
- [Westlaw/PLC](#): IP & Technology Practice Area
- [Lexis](#): several IP-related practice centers

## Circuit splits

- [Bloomberg Law](#) > Law School Success > Law Reviews & Journals



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Wire: NS1 — 08/28/2019 13:52

**B'lyn Law Review: Brooklyn Law School Named a Top School for Music Law by Billboard**

Wire: NS1 — 08/28/2019 13:33

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## INTELLECTUAL PROPERTY

# Patents & Trade Secrets

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## News & Analysis

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Q startup



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## INTELLECTUAL PROPERTY

## Results for Patents &amp; Trade Secrets

Found 395 results

Content type | Bloomberg Law News ✕

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## Filters

## Topic

- patent infringement (63)
- trade secret misappropriation (59)
- patent applications (44)
- patent holding companies (42)
- software patents (38)

[Select More...](#)

## Court

Results 1 - 50 of 395 | [Next](#) ▶Sort by Date ▾ Show Details  Select All Download Email Workspace Save for Later 1. [Ex-Uber Engineer Levandowski Charged by U.S. in Waymo Case \(3\) \(08/27/2019\)](#)

In that case, which was eventually dropped, the firm accused Kalanick of failing disclose his personal involvement in acquiring the **startup** that -- according to a confidential Uber-commissioned report -- "harbored trade secrets stolen from a competitor." The legal action against Levandowski dredges up memories that Uber's current leadership would prefer fade into the past. Kalanick, Uber's co-founder, remains on the company's board of directors.

 2. [Inside a Legal Tech Startup's Pitch to Orrick at ILTACON \(08/26/2019\)](#)

Inside a Legal Tech **Startup's** Pitch to Orrick at ILTACON Inside a Legal Tech **Startup's** Pitch to Orrick at ILTACON Roy Strom Chicago Reporter Jessie Kokrda Kamens Washington Team Leader Rebekah Mintzer

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## Explore Content

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## Intellectual Property

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[All Trademark Law Administrative Codes and Regulations](#) |

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Access key resources and tools specifically tailored to the work you do

**Trademark**

[Entertainment & Sports](#)



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### Lexis Practice Advisor®

Access practical guidance including practice notes, forms, checklists, and articles



Enter terms, sources, a citation, or shep: to Shepardize<sup>®</sup>

Patent Law ▸



Top Sources

- Cases, Statutes and Regulations
- Administrative Sources
- Secondary Materials and Forms

Find a source



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Law360

Law360 Intellectual Property

Law360 Technology

[Government Shuts Down After Band-Aid Funding Falls Off](#)

Sat, 20 Jan 2018 00:24:52

[Lab's Peptide IP Suit May Run Aground On Safe Harbor](#)

Fri, 19 Jan 2018 23:05:06

[NCAA Scores Default Victory In Basketball Tourney TM Suit](#)

Fri, 19 Jan 2018 22:30:53

[Record Cos. Sue Music App Over 'Massive' Infringement](#)

Fri, 19 Jan 2018 21:43:02

[DOJ Antitrust, FTC Chiefs Signal Continued Focus On IP](#)

Fri, 19 Jan 2018 20:51:17

[Law360 Intellectual Property](#)

News & Analysis



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Legal News

10,000+ ▾

Results for: startup trademark



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1



Trademark Law ×

Clear



> Search Within Results

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> Attorney

> Law Firm

> Keyword

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Legal News (10,000+)



Sort by: Date (newest-oldest) ▾

1. [Ex-Amazon Trademark Law Guru Launches IP Boutique](#)  
New York Law Journal | Aug 28, 2019 | 404 words | Kristen Rasmussen
2. [THURSTON MANUFACTURING: \\$7.6M Sale of IP & Related Assets Approved](#)  
Troubled Company Reporter | Aug 28, 2019 | 229 words
3. [Protecting Internet Inventions: Four Different Paths](#)  
The Legal Intelligencer | Aug 27, 2019 | 1844 words | JONATHAN D. BICK New Jersey Law Journal
4. [DRESS BARN: Offers for Intellectual Property Assets Due September](#)  
Troubled Company Reporter | Aug 27, 2019 | 554 words
5. [Mealey's IP/Tech - Polymerase Chain Reaction Thermal Cycling Patent Defended By Owner](#)  
Mealey's Daily News Update - IP/Tech | Aug 27, 2019 | 553 words



Enter terms, citations, databases, questions, anything ...



All State & Federal



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Briefs

Expert Materials

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Key Numbers

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Intellectual Property



### Litigation Analytics

View insights on judges, attorneys, law firms, courts, and case types to build a winning case strategy.

Litigation Analytics

Legislative History

News

Sample Agreements

Trial Transcripts & Oral Arguments



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# Practical Law

Search all Practical Law above or navigate to specific content below.

PRACTICE AREAS RESOURCE TYPES JURISDICTIONS

Antitrust

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Capital Markets & Corporate Governance

Commercial Transactions

Corporate and M&A

Employee Benefits & Executive Compensation

Finance

Government Practice: Federal

CROSS-PRACTICE COLLECTIONS

Financial Services

Life Sciences

Government Practice: State & Local

Intellectual Property & Technology

International Arbitration

Labor & Employment

Litigation

Real Estate

Trusts & Estates

Startups & Small Businesses



RESOURCES



## Meet The Team

The quality starts with our people.

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## Glossary

Detailed explanations of legal terms and concepts written by Practical Law editors.

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## State Q&A

Review and compare state law across multiple practice areas.

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## State Q&A

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## Cross-Border Resources



Startups &amp; Small Busi... ▾

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## Startups & Small Businesses

Search all Startups & Small Businesses above or navigate to specific content below.

TOPICS RESOURCE TYPES JURISDICTIONS

Formation & Starting Up

Intellectual Property

Capital Raising & Financing

Commercial Transactions

Corporate Governance, Compliance & Housekeeping

Real Estate

Company Policies

Disputes

Employees, Consultants & Other Service Providers

Liquidity & Exit Events

Compensation & Benefits

Dissolution & Winding Up

### RESOURCES



#### Startup Company Toolkit

Collections of Practical Law resources on specific topics relevant to startups and small businesses.

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#### What's Market

Summaries, analysis, and custom reports covering a range of transactions.

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### STATE Q&A

Review and compare state law across multiple practice areas. Examples include:

[Corporation Law State Q&A](#)

[Non-Compete Laws State Q&A](#)



Intellectual Property

Search Intellectual Property



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- Standard documents 152
- Standard clauses 33
- Checklists 70
- Toolkit 27
- Articles 55
- Legal Updates 486
- State Q&A 95
- Country Q&A 44
- State Q&A Tool 1

Jurisdiction +

Practical Law > Startups & Small Busine... > Intellectual Property

☆ Intellectual Property (1,111)

1 - 100 >

Sort: Resource Type

Select all items · No items selected

Practice note: overview

- > **1. Assignment of Employee Inventions State Laws Chart: Overview**   
Practice note: overview · Law stated as of 29-Mar-2019  
California, Delaware... Show all Jurisdictions
- > **2. California Privacy and Data Security Law: Overview**   
Practice note: overview · Maintained · California
- > **3. Copyright: Case Tracker**   
Practice note: overview · Maintained · National/Federal
- > **4. Copyright: Overview**   
Practice note: overview · Maintained · National/Federal
- > **5. Fashion Law: Overview**   
Practice note: overview · Maintained · National/Federal
- > **6. Hatch-Waxman Act: Overview**   
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Insurance Law\*

Real Property

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Mergers & Acquisitions\*

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- Career Resources
- Law Review Resources
- Videos & Reference Guides
- Librarian Resources

### Practice Tools

- Litigation Analytics
- Transactional Practical Guidance
- State Law Chart Builders

### Research Tools

- Court Opinions
- Points of Law
- Dockets
- Transactional Precedents
- State Resources
- Barron's Law Dictionary

### Secondary Sources

- Books & Treatises
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- Latest News



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# Law Reviews and Journals Favorite

Use Bloomberg Law to Find A Topic, Dig Deeper, Keep Current, and Stay Organized. Use the resources below to assist with your note topic and writing assignments.

[VIDEO: Law Review Success with Bloomberg Law](#)

## Find a Topic

A note or comment is a scholarly paper that discusses a relevant legal issue and is generally 20 to 30 pages long. Your goal in writing a note or comment is to provide a unique perspective on an issue of law, take a position on an emerging legal issue, or offer a new interpretation of an existing rule of law. Use the resources below to find a timely and interesting note or comment topic.

### CIRCUIT SPLITS

- [Circuit Splits Chart](#)
- [Circuit Splits Court Opinion Search](#)
- [Supreme Court Today Tracker](#)

### HOT LEGAL TOPICS

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## Law Review Series

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- [Targeting Compelling Topics](#)
- [Beyond the Court Opinion](#)
- [Finding Controversial Cases](#)
- [Identify Patterns and Developments](#)

## Law Review Series Recordings (Fall 2017)

# LITERATURE REVIEW

# Literature Review



- A survey of books, scholarly articles, and any other sources relevant to a particular issue, area of research, or theory
- Helps you formulate your thesis and locate your arguments within the larger field of study

# BOOKS

## Search LRC

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Databases A-Z

By Subject



corporate innovation



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### Week hours

January 21st - 27th

#### ▶ Library

Today's hours

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### UPCOMING EVENTS

JAN

24

Have questions? **We're here.**

Pardee Legal Research Center, Main  
Computer Lab, room 122




Ask a law librarian!

# Searching the catalogs

**USD's online catalog** find items located in the LRC and also in the Copley Library collection.

- Remember that the catalog can be used to find not just materials in our print collection, but it also provides direct access to materials in our subscription databases, and it also links to websites!
- You can search [USD's online catalog](#) from LRC's homepage

Search:    
Advanced Search

CatalogPlus

Catalog

Results 1 - 25 of 141 for corporate innovation

[WorldCat](#) [Circuit](#)

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Refine by:

Format

PRINT BOOK (97)

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Search Found In

Title (54)

Availability

At the library (139)

Online (44)

Collection

Electronic Publications (44)

Books (120)

**Corporate innovation in environment, health and safety / edited by Lorri A. Grube**

PRINT BOOK | c1995

Available at CL Book Stacks (HD30.255 .C675 1995) [see all](#)

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Additional actions:




**Inside corporate innovation : strategy, structure, and managerial skills / Robert A. Burgelman, Leonard R. Sayles**

Burgelman, Robert A

PRINT BOOK | c1986

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Foxall, G. R

PRINT BOOK | 1984

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# Searching the catalogs

## Circuit Catalog:

- USD is a member of a library consortium, the Circuit
- borrow materials from SDSU, UCSD, Cal State San Marcos, & the San Diego County & City Libraries.
- greatly increases the universe of materials that are accessible to you!
- delivered to LRC in 24–48 hrs.—pickup at Circulation desk

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## KEYWORDS (1-50 of 724)

### Most relevant titles entries 1-8

- 1 Silicon Valley Start-ups and Corporate Innovation : Approaches to Resolve the Innovator's Dilemma**  
 Gold, Bernhard, author  
 Wiesbaden, Germany : Springer Nature, 2017  
 1 online resource
- 2 How does hedge fund activism reshape corporate innovation?**  
 Brav, Alon, author  
 Cambridge, Mass. : National Bureau of Economic Research, 2016  
 1 online resource (69 pages) : illustrations 
- 3 Establishing corporate innovation communities : a social capital perspective**  
 Dumbach, Martin, author  
 Wiesbaden : Springer Gabler, 2014  
 1 online resource (xix, 275 pages) : illustrations
- 4 Technological change and the evolution of corporate innovation : the structure of patenting, 1890-19**  
 Andersen, Birgitte, 1967-  
 Cheltenham, UK ; Northampton, MA : Edward Elgar, [2001], ©2001  
 viii, 285 pages : illustrations ;

### Basic Search Tips

- Keyword
- Title
- Author
- Subject

### Advanced Search

- Advanced Keyword

### Other Searches

- Biomedical Subject (Medical Subject Headings)
- Children's books by subject
- Genre

### Number Searches

- LC Call No.
- Dewey Call No.
- Government Document No.
- ISBN/ISSN/Standard No.
- OCLC No.

### Search Help


- Search Help

## Choose Your Institution

Requesting **The bioethics of enhancement : transhumanism, disability, and biopolitics / Melinda Hall**

**With which institution are you affiliated?**

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- San Diego Public Library
- U of San Diego**
- UC San Diego
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USD Copley Library  
**USD Legal Research Center**



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- If you can't find an item at USD or through the Circuit, we may be able to get it through interlibrary-loaned from another library
- Check <http://www.worldcat.org> or come ask a reference librarian
- Delivered to LRC anywhere from 3 days to 3 weeks—make your request early!

<http://www.sandiego.edu/law/library/find-resources/ill/>

# LAW ARTICLES

# Law articles

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
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Statutory Codes   i			Law Reviews & Journals   i	Scientific   i
Administrative Codes & Regs   i			Forms   i	Company & Financial   i
Jury Instructions   i			Jury Verdicts & Settlements   i	Directories   i
				Intellectual Property   i
				Practical Guidance 
				Public Records 
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M Wiwchar, D Walker, R Marsh - Digital Health Entrepreneurship, 2020 - Springer


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94 NTDLR 751 - David S. Levine, Ted Sichelman - Notre Dame Law Review (Approx. 112 pages)

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4 See discussion *infra* Part II.

5 See discussion *infra* Section II.A.

6 Jonathan Rubens, *Early-Stage IP Protection: A Primer and Overview for Working with the Startup*, BUS. L. TODAY, July 2016, at 1, 3, <https://www.americanbar.org/content/dam/aba/publications/blt/2016/07/ip-protection-201607.authcheckdam.pdf>; see also Michael Risch, *Hidden in Plain Sight*, 31 BERKELEY TECH. L.J. 1635, 1637-38 (2016) (contending that where patents are unavailable, software companies even use trade secrecy to protect otherwise "visible program aspects" of their products); *Patents or Trade Secrets?*, WORLD INTELL. PROP. ORG., [http://www.wipo.int/sme/en/ip\\_business/trade\\_secrets/patent\\_trade.htm](http://www.wipo.int/sme/en/ip_business/trade_secrets/patent_trade.htm) (last visited Aug. 16, 2017) ("[T]rade secrets may concern inventions or manufacturing processes that do not meet the patentability criteria and therefore can only be protected as trade secrets."); Tim Sewart, *Five Common Legal Mistakes Startups Can Avoid*, TECHWORLD (June 8, 2017), <http://www.techworld.com/startups/five-legal-terms-all-startups-need-know-about-3659899/> ("Experience tells us that the latter approach (secret; bid for market share) is normally wiser than the former (patents; disclosure) but that businesses' preoccupation with the former can often leave them mired in delay and cost. Of course, much will depend on the nature of the business or product.").

7 See Stuart J.H. Graham et al., *High Technology Entrepreneurs and the Patent System: Results of the 2008 Berkeley Patent Survey*, 24 BERKELEY TECH. L.J. 1255, 1260, 1288 (2009).

8 Bronwyn Hall et al., *The Choice Between Formal and Informal Intellectual Property: A Review* 24 (March 2012) (unpublished draft) [hereinafter Hall et al., unpublished draft], <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.299.4184&rep=rep1&type=pdf>. An updated version of the article was published two years later. Hall et al., *The Choice Between Formal and Informal Intellectual Property: A Review*, 52 J. ECON. LITERATURE 375, 384 (2014) [hereinafter Hall et al., *The Choice Between*].

9 See discussion *infra* Part III.

10 See discussion *infra* Part II.

11 For instance, Hall and her coauthors specifically suggest that more research is warranted and that data from different settings could be helpful for testing "the assumption that patents and secrecy are mutually exclusive and to consider a more complex and realistic scenario in which companies employ different mechanisms to protect the same invention." Hall et al., *The Choice Between*, *supra* note 8, at 419.

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By Adam Liptak

Sept. 23, 2013



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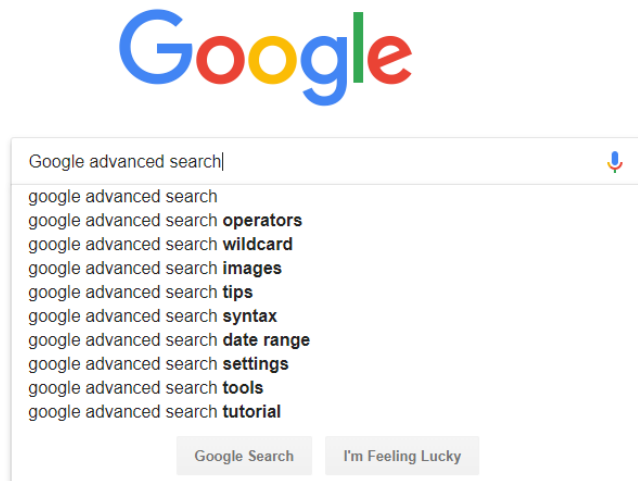


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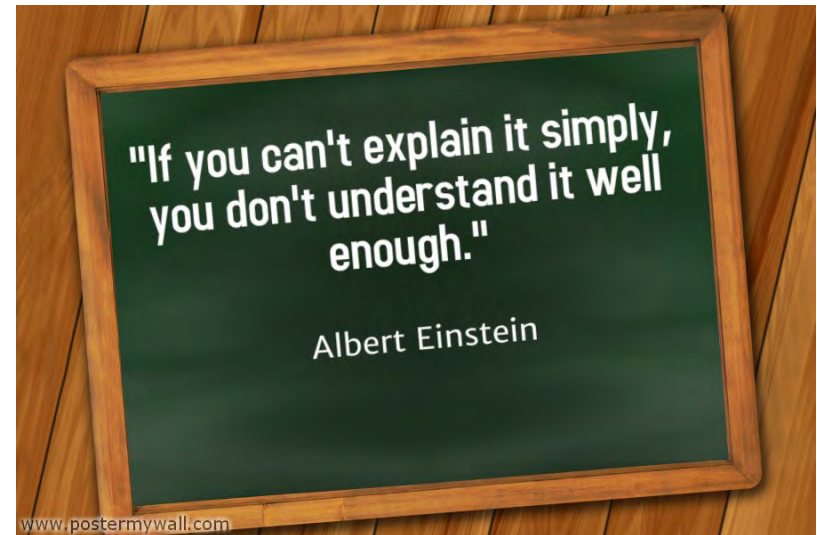
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