

**Application for the University of San Diego School of Law
Intellectual Property Externship (“IP Externship”) &
Corporate Technology Externship (“TEC Externship”) 2019-20**

Program Coordinators

[Ted Sichelman](#) (Professor, USD)

[Anthony Mauriello](#) (Adjunct Professor, USD)

Description of IP Externship (3 credits per semester)

This course places students at local law firms and companies to provide legal assistance to local individuals (inventors, artists, musicians, and others) and tech and media companies in the areas of patent prosecution, patent searching, trademark prosecution, filing of provisional and utility patents, intellectual property litigation, intellectual property transactions, and related areas (including copyright and trade secret law). Students will be supervised by attorneys at the local law firms and companies as well as the professors. Students begin work during the first week of the semester with companies and law firms, and meet one-on-one with the professors on a regular basis. Additionally, the course begins with 6-7 week “bootcamp” covering the core practical aspects of patent, trademark, copyright and trade secret law. In the boot camp, students will be given sample office actions and draft responses, as well as IP litigation pleadings, motions, and discovery. There are no scheduled classes during the remainder of the semester. An application process will be used to select students for the course. Students who registered for the course in previous academic years may not apply for the course for 2019-2020 without the permission of the Professors.

Description of Corporate Technology Externship (3 credits per semester)

This course places students at local law firms and companies to provide legal assistance to technology companies in the areas of corporate formation and transactions, contracts, employment, and related areas. Students will be supervised by attorneys at the local law firms and companies as well as the professors. Students begin work during the first week of the semester with companies and law firms, and meet one-on-one with the professors on a regular basis. Additionally, the course begins with 6-7 week “bootcamp” covering the core types of transactions encountered in technology companies. There are no scheduled classes during the remainder of the semester. An application process will be used to select students for the course. Students who registered for the course in previous academic years may not apply for the course for 2019-2020 without the permission of the Professors.

Relationship of IP and Corporate Technology Externships

Students interested in IP law should apply to the IP Externship. Students interested in corporate transactions should apply to the Corporate Technology Externship. See below for additional explanation of the types of projects in each externship. Students may apply to both externships, but if selected, will only be offered placement in one of the externships.

Course Component

In addition to your work at a local law firm or company, there is a course component for six class sessions in the fall semester. Students participating in the externships must attend all of the class sessions, either for IP or Corporate (but not both). The IP Externship will meet Monday evenings (5:30-7:20 pm) and the TEC Externship (Corporate) will meet Wednesday evenings (5:30-7:20 pm).

Law Firms vs. Companies

In the past, all externships were with law firms. Recently, we have added a small number of companies to the program. On the application below, please check the appropriate boxes (law firm and/or companies) depending on your interest. Checking more boxes will increase your chances of securing an externship. (Please note that other than this question on the application, wherever “law firm” or “firm” appears in this document, it also refers to companies participating in the program.)

Hours, Credit and Pay

Generally, the course is offered for 1-6 units of credit based on the number of hours you work (50 hours per credit; total hours must be decided in advance by the end of the drop/add period). If you are offered a position with your law firm, they may request that you work at least 150 hours (3 credits) during the semester, but typically not more, unless both the firm and student agree upon the number of hours. A few participating firms in the externships offer the option of receiving pay in addition to receiving credit. Note that only a few firms offer paid positions, so if you want to maximize your chances of being admitted to the externships, please do not check “paid only positions.”

One-Semester Commitment

Students must participate in the fall semester. If a student’s supervising firm requests that he or she continue in the spring, students need not do so. Students may elect to continue in the spring semester at their discretion if their supervising firm requests it. However, students may not begin in the spring semester. Additionally, the externship program is not available in the summer semester.

On-Site Commitment

Students must make available one full day or two half days (during ordinary business hours) to work at the supervising firm’s offices. For willing firms, students may go to the law firm’s offices three evenings per week (from approximately 4:30-7:00 pm, or earlier in the day as the student is available). The total weekly time work commitment is typically 10 hours per week during the semester for a total of 150 hours, though as noted above, some firms will allow fewer hours (e.g., 50 or 100 hours during the semester) if the student desires, and some firms will allow more hours (e.g., 200 or 250 hours) if the student desires. This commitment is in addition to the approximately 12 hours of in-class time at the beginning of the semester.

IP & Business/Corporate Concentration

Students in the IP Externship for course credit may count up to 3 units towards the IP concentration and students in the TEC Externship for course credit may count up to the 3 units to the Business/Corporate concentration (but no more).

Application Process

Any LL.M, rising second-year, rising third-year, or evening student who will have completed Criminal Law, Contracts, Torts, Property, and Civil Procedure by the end of this academic year is eligible to apply for the externships. If you are interested, please submit your application (below), a current resume, and a copy of your current transcript to Kevin Brown **by e-mail** (hard copies will not be accepted) at kevinbrown@sandiego.edu **no later than Friday, March 29, at 5 pm PST.**

If you submit an application, then you agree to register if you are selected, barring extenuating circumstances. We will make all attempts to notify you by Friday, May 31, if you are selected to participate, though in prior years, our selection process has sometimes extended past the deadline we provide to firms. Additionally, in order to qualify for the course, you may need to complete face-to-face interviews with one or more supervising firms—either on campus or at the firms.

Please do not attempt to register for the course until you are selected. We suggest registering for another course in its place, which you can drop in the event you are selected for the externships.

Other Important Information

Restriction on Work for Other Law Firms, Externships, etc.

Students who are employed during the semester by an outside law firm or corporate counsel office, regardless of whether it is a paid or unpaid position, as well as students performing a judicial externship, are not eligible to participate in the program. Students participating in clinics on-campus, agency or other government externships, or corporate counsel externships may participate in the IP or TEC externships, provided all conflicts-of-interest are cleared with their supervising law firm prior to accepting an offer from the firm. If you have any questions regarding these restrictions, please contact Professor Sichelman at tsichelman@sandiego.edu.

Time Commitment

In addition to the time spent at the law firm each week, students must also be available during the rest of the week to answer e-mails and phone calls from the supervising law firm or clients on a timely basis.

No Expectation of a Permanent Position

The externship is not intended to lead to a permanent or summer associate offer from the student's supervising law firm. Students should have no expectation that they will receive an offer for a summer position or permanent job at the supervising law firm. Of course, firms may decide to make such an offer wholly on their own accord, and approximately one-third of participating students have received such offers in prior years.

For Credit vs. Paid Positions

If you are performing your work for academic credit, typically, the firm will usually not compensate you for your work. In some cases, firms do compensate students and you may also earn credit. Moreover, some law firms may compensate you for hours worked beyond the minimum required for credit in the course if the firm offers (and you choose to work) additional hours.

Supervision

Students will be assigned to work with lawyers at one supervising firm in the San Diego area. Students will be externs at the firm and subject to the firm's rules and procedures, including confidentiality restrictions.

Each student's firm will provide direct supervision during the semester. However, students will meet with the USD professors periodically throughout each semester, who will be available to answer general questions.

Types of Work

Students will be assigned a variety of projects based on their previous and current coursework and educational background.

Projects for the IP Externship will include patent prosecution (e.g., drafting patent disclosures, work on patent office actions, work on provisional and utility patent applications, and litigation), patent litigation (e.g., complaints, answers, discovery responses, Markman briefs, summary judgment briefs, trial memos); trademarks (e.g., searches, office actions, appeals, agreements and litigation), copyrights (e.g., analysis, filing, responses to refusals, etc.), and trade secrets (e.g. non-disclosure agreements, employment aspects of IP, litigation, etc.).

Projects for the Corporate Tech Externship will include corporate (e.g., preparation of due diligence materials, drafting of financing agreements, securities filings, etc.), intellectual property (drafting of patent disclosures, license agreements, non-disclosure agreements, and related documents), employment (drafting of employment agreements), and drafting of general contracts. Nearly all work will be of a transactional nature, though from time-to-time, students may assist on a litigation project.

Grading

The course will be graded pass/fail (no honors or low pass) for those students who are not hired purely on a paid basis. Students who attend all class sessions and complete the minimum hours of work during the semester (50 hours per unit, units must be determined by drop/add deadline) will receive a passing grade, provided, however, that students who regularly miss deadlines for the completion of projects during the semester may receive a failing grade.

If you have any questions about the course or application, please contact Professor Ted Sichelman at tsichelman@sandiego.edu.

| | |
|--|---|
| <input type="checkbox"/> Employment Litigation | <input type="checkbox"/> Other IP (please list) |
| <input type="checkbox"/> Other Corporate (please list) | |

(7) Please put an "X" for the law school courses you have taken or are currently taking. Please put a checkmark for those law school courses you plan to take in Fall 2018 (assuming you were selected to participate for the externship).

| | |
|--|--|
| <input type="checkbox"/> Corporations/Corporate Law (basic course) | <input type="checkbox"/> Intellectual Property Survey |
| <input type="checkbox"/> Employment Law | <input type="checkbox"/> Patent Law |
| <input type="checkbox"/> Corporations/Corporate Law (basic course) | <input type="checkbox"/> Patent Law Policy |
| <input type="checkbox"/> Corporate Finance | <input type="checkbox"/> Trademark Law |
| <input type="checkbox"/> Valuation (of Business) | <input type="checkbox"/> Trademark Strategy Skills |
| <input type="checkbox"/> High-Tech Startups | <input type="checkbox"/> Copyright Law |
| <input type="checkbox"/> Finance and Accounting for Lawyers | <input type="checkbox"/> Trade Secrets |
| <input type="checkbox"/> Securities Regulation | <input type="checkbox"/> IP & Antitrust |
| <input type="checkbox"/> Advanced Securities Regulation | <input type="checkbox"/> Intl IP Seminar |
| <input type="checkbox"/> Business Planning | <input type="checkbox"/> IP Theory Seminar |
| <input type="checkbox"/> Advanced Business Planning | <input type="checkbox"/> IP Strategies |
| <input type="checkbox"/> UCC: Sales | <input type="checkbox"/> Patent Prosecution |
| <input type="checkbox"/> UCC: Secured Transactions | <input type="checkbox"/> Patent Litigation I |
| <input type="checkbox"/> Employment Law | <input type="checkbox"/> Patent Litigation II |
| <input type="checkbox"/> ERISA & Employee Benefit Plans | <input type="checkbox"/> Biotech Patents |
| <input type="checkbox"/> Bankruptcy | <input type="checkbox"/> Tech Transfers |
| <input type="checkbox"/> Corporate Reorganization | <input type="checkbox"/> Business Torts |
| | <input type="checkbox"/> Corporate Innovation & Legal Policy |

| | |
|---|---|
| <input type="checkbox"/> International Contracts/Contracting Across Borders | <input type="checkbox"/> Communications Law |
| <input type="checkbox"/> International Business Transactions | <input type="checkbox"/> Antitrust |
| <input type="checkbox"/> International Investment | <input type="checkbox"/> Cyberspace Law |
| <input type="checkbox"/> International Negotiation | <input type="checkbox"/> IP & Business |
| <input type="checkbox"/> International Finance | <input type="checkbox"/> Other IP (Please List) |
| <input type="checkbox"/> Negotiation | |
| <input type="checkbox"/> Tax I | |
| <input type="checkbox"/> Tax II | |
| <input type="checkbox"/> Advanced Corporate Tax Problems | |
| <input type="checkbox"/> Communications Law | |
| <input type="checkbox"/> Antitrust | |
| <input type="checkbox"/> Other corporate or tax (please list) | |

(8) Will you be available at least one full business day or two half business days per week to work at the location of the supervising law firm and/or client site?

YES NO (please circle or bold)

(9) If you answered "No" to 8, please answer the following question: Will you be available at least three evenings per week (from approximately 4:30-7:00 pm) to work at the location of the supervising law firm and/or client site?

YES NO (please circle or bold)

(10) If you are accepted into the program, will you be working for any other law firm (paid or non-paid), be enrolled in any USD externships or clinics, or have you applied for a judicial externship during the Fall 2019 semester?

YES NO (please circle or bold)

If so, please describe the nature of the position, including types of work, and whether it will be paid or not:

If you are interested, please submit your application (below), a current resume, and a copy of your current transcript to Kevin Brown **by e-mail** (hard copies will not be accepted) at kevinbrown@sandiego.edu **no later than Friday, March 29, at 5 pm PST.**

If you submit an application, then you agree to register if you are selected, barring extenuating circumstances. We will make all attempts to notify you by Friday, May 24, if you are selected to participate, though in prior years, our selection process has sometimes extended past the deadline we provide to firms. However, you may hear from us and/or supervising firms before then to schedule interviews.

If you have any questions about the course or application, please contact Professor Sichelman at tsichelman@sandiego.edu.