

Department of Management

Legal Aspects of Technology Management 55-228-02

Lecturer: Yotam Werzansky-Orland, Esq.

Type: Course

Credit scope: 2

academic year: Tashpah

semester: SUMMER

Day and time: Sunday, 19:00-21:00

Reception time: By appointment.

Lecturer email: yotam.werzansky-orland@biu.ac.il

Link to "Lamda" website: <https://lemida.biu.ac.il/course/view.php?id=99677>

Course Description and Learning Objectives

A. Brief Description:

The course is an online based course which will combine asynchronous and interactive learning together with Zoom sessions. In addition, there will be face-to-face meetings with the lecturer at the beginning and end of the course, as well as discussions, event analysis, simulations and guest lectures.

B. Learning goals/outcomes

The course will help students become familiar with the strategic, business and legal challenges of technology management in the information and internet age.

C. Knowledge

The course is designed to enable an introduction to the world of legal and strategic content that every manager in a technology company should be familiar with, including user privacy matters on websites, applications and other online platforms.

What data is considered private and personal and what is allowed to be collected and under what conditions? How do you protect the intangible assets of a venture or technology company? What is allowed and what is not? Who has the rights to the work products? How do you protect code or a business method? The course will deal with these topics, as well as contractual-commercial aspects of technology management while referring to existing and developing technologies such as open source, IoT and cloud services.

- The students will gain familiarity with facts, content, concepts, issues and central ideas in the legal aspects of technology management.
- The students will analyse legal situations which technology ventures encounter throughout their life span.
- The students will explain what the various strategies are available, in order to make a decision in such legal situations.

D. Detailed Plan for All Classes:

Lecture	Subject	Essential Reading
1	Introduction to legal aspects of technology management	
2	Contract law and online agreements.	<ul style="list-style-type: none"> • The Law of Contracts (General Part), 1973. Sections: 1, 2, 5, 6, 12, 14, 15, 17, 18, 23-25, 39. • The court curbs Google's aggressiveness against the sites in its advertising network, The Marker website, August 28, 2019. • "Every internet user should expect to be sued in any country in the world", The Marker website, 9.6.2014.
3	Corporation Law & Entrepreneurship.	<ul style="list-style-type: none"> • Companies Law, 1999, Sections: 2, 4, 6(a)(1), 11(a), 26, 27, 46, 47. • CA 262/86 Rott v Deak and Co. Pages 364-366.
4	Intellectual Property; Copyrights	<ul style="list-style-type: none"> • Copyright Law, 2007, Sections 4, 5, 11-17, 19, 33-35, 37, 38, 45-46. • Oracle Wins \$1.3 Billion From SAP in Downloading Case. Bloomberg.com
5	Trade Secrets	<ul style="list-style-type: none"> • Commercial Torts Law, 1999, Sections 5-10. • Y. Drori, Y. Werzansky-Orland, A. Yarkoni, Y. Bar-Sade. 2015. The Internet and Online Commercial Law, Perlstein-Genosar Publishing. Pages 191-193, 198-202.
6	Patents	<ul style="list-style-type: none"> • Patents Law, 1967, Sections 2, 3, 4 and - 5, 132 - 134, 82-86. • CA 7623/10 Hydro Na v. Sun Hitech Ltd. • PCA 7337/12 Cohen v. John Deere Water Ltd. • CA 345/87 Hughes Aircraft Company v. Kaiser Electronics & Aerospace.
7	Branding & Goodwill: Trademarks, Domain Names.	<ul style="list-style-type: none"> • The Trademarks Ordinance [new version], 1972, Sections 1 (definition of "trademark", "well-known trademark" and "infringement"), 8(a), 46, 46a. • Case No. D2015-1026 (mobeego.com) Assis v. Hussein, WIPO Arbitration and Mediation Center, ADMINISTRATIVE PANEL DECISION. • Case No. 102252 (futuragenetics.com), FuturaGene LTD. v. Boca Trading s.r.o., ADR Center of the Czech Arbitration Court, 29.7.2019.
8	Information protection and privacy - basic rules.	<ul style="list-style-type: none"> • Privacy Protection Law, 1981, sections 1, 2, 7, 8. • Basic Law: Human Dignity and Freedom, Section 7. • Birnhak, M. 2007. Control and Consent: The Theoretical Basis of the Right to Privacy, Law and Government, Vol. 11. Chapter 1 pp. 13-19, Chapter 2 pp. 27-37 (categories of privacy) Chapter 3 Privacy as control. Chapter 5, pp. 68-72.
9	Marketing and electronic mailing.	Section 30a of the Communications Law (Amendment No. 40), 2008 ("Spam Law").
10	Course Summary and Preparation for final assessment.	

E. Final Grade

Grade components:

- Online quizzes and exercises – 10%
- Mid-term assignment – 20%
- Final assignment – 70%

F. Prerequisites

None.

G. Bibliography

Contract Law (General Part), 1973. Sections: 1, 2, 5, 6, 12, 14, 15, 17, 18, 23-25, 39.

Companies Law, 1999. Sections: 2, 4, 6(a)(1), 11(a), 26, 27, 46, 47.

Copyright Law, 2007, Sections 4, 5, 11-17, 19, 33-35, 37, 38, 45-46.

The Trademarks Ordinance [new version], 1972, sections 1 (definition of "trademark", "well-known trademark" and "infringement"), 8(a), 46, 46a.

Commercial Torts Law, 1999, sections 1, 2, 3 and 4.

Case No. D2015-1026 (mobeego.com) Assis v. Hussein, WIPO Arbitration and Mediation Center, ADMINISTRATIVE PANEL DECISION. (attached).

Case No. 102252 (futuragenetics.com), FuturaGene LTD. v. Boca Trading s.r.o., ADR Center of the Czech Arbitration Court, 29.7.2019

Commercial Torts Law, 1999, sections 5-10.

Patents Law, 1967, Sections 2-5, 132-134, 82-86.

Privacy Protection Law, 1981, sections 1, 2, 7, 8.

Basic Law: Human Dignity and Freedom, Section 7.

Section 30a of the Communications Law (Amendment No. 40), 2008 ("Spam Law").

Y. Drori, Y. Werzansky-Orland, A. Yarkoni, Y. Bar Sade. 2015. The Internet and Online Commercial Law, Perlstein-Genosar Publishing. pages 81-91, 191-193, 198-202.

"The court curbs Google's aggressiveness against the sites in its advertising network", The Marker website, August 28, 2019.

"Every internet user should expect to be sued in any country in the world", The Marker website, 9.6.2014.