



The State Bar *of California*

OPEN SESSION

AGENDA ITEM

JUNE 2019

COMMITTEE OF BAR EXAMINERS ITEM O-401

DATE: June 11, 2019

TO: Members, Committee of Bar Examiners

FROM: Natalie Leonard, Principal Program Analyst, Office of Admissions

SUBJECT: Decision on Lincoln Law School of San Jose Request for Major Change – IP Certificate Program, M.L.S. Program and LL.M. Program

EXECUTIVE SUMMARY

Lincoln Law School of San Jose (LLSSJ) submits the attached Request for Major Change seeking the Committee of Bar Examiners' (Committee) acquiescence regarding three non J.D. programs: 1) a Patent Agent Certificate Program; 2) a Master of Legal Studies in Intellectual Property Law (M.L.S.-IP); and 3) a Master of Laws degree program designed for law students and lawyers from other countries (LL.M.-IP). (Attachment A). The request is made pursuant to Rules 4.105(K), 4.164 and 4.165(E) and Guideline 13 of the Accredited Law School Rules and Guidelines for Accredited Law Schools.

BACKGROUND

Accredited law schools seeking to offer "professional law degrees" as defined in Rule 4.105(K) must use the Major Change Process as defined by Rules 4.164 and 4.165 (E) to make this request before "offering any new program in law study, whether a degree program, nonprofessional degree program, or non-degree program."

Specifically, under Guideline 13, the school "must apply for Committee acquiescence of a professional law degree program . . . and provide the Committee any other information it requests to assist it in evaluating the proposal for a professional law degree program" under Guideline 13.2(A).

Therefore, the standard is not approval of the content of the program, but rather acquiescence to the law school's proposed professional law degree programs if the school "demonstrate[s] to the satisfaction of the Committee that its proposal complies with the curriculum and other

substantive program requirements adopted by the Committee,” and that “receiving acquiescence to grant a professional law degree in addition to the Juris Doctor will not detract from the law school’s ability to maintain its Juris Doctor Degree program in compliance with the Rules and . . . Guidelines [for California Accredited Law Schools].” (See Guideline 13.1).

The school must understand that the Committee reserves the right to terminate its acquiescence under Guideline 132, under certain circumstances, such as probationary status of the school. The school must also agree to publicize the required disclosures and compliance terms enumerated in Guidelines 13.3 and 13.4 to advise candidates that these professional degrees do not qualify students to take the California bar examination or satisfy the requirements for licensure in California, and may not qualify the students to take any other Bar Examination or be licensed in any other jurisdiction.

Ultimately, the Committee’s “acquiescence in a law school’s professional law degree programs other than for the Juris Doctor degree is not, and law schools must not represent it to be, approval of the quality of any such program.” Rather, it evidences an awareness of the program and establishes that the Committee has concluded that sufficient evidence has been provided to establish that the new professional degree program will not have any negative effects on the school’s J.D. programs.

DISCUSSION

LLSSJ is a California accredited, fixed-facility law school (CALS) located in San Jose, California. The law school was last inspected in October, 2018 and the results of that inspection, including a staff recommendation for continuation of accreditation, will be presented during the June 2019 Committee meeting with a recommendation that the next inspection to take place in Fall 2023.

The school has provided a completed application seeking acquiescence to the following three non-J.D. professional degrees as required by Guidelines 13.1 and 13.2.

The first proposed degree is a Patent Agent Certificate. This one-year program trains candidates who are primarily science majors to become Patent Agents. The program was designed at the request of the United States Patent Office and the school works closely with the USPTO, operating the only public patent and trademark clinic in the country authorized in a school that is not approved by the American Bar Association.

The second proposed degree is the M.L.S.-IP, a two-year program designed for candidates who wish to study intellectual property law, but who do not desire to become lawyers. Many also concurrently earn a Patent Agent Certificate and qualify to sit for the Patent Bar Examination.

The third proposed degree is the LL.M.-IP, a two-year program designed to assist lawyers and those who earned a first degree in law from a foreign country to enhance their knowledge of Intellectual Property Law in the United States.

When analyzed against the applicable Rules and Guidelines, it appears that LLSSJ has established all elements required to receive acquiescence for each of the three programs based on a review of its fully completed application.

The school can conduct the programs without detracting from the J.D. program, as required under Guideline 13.2(B), because it will use existing technology infrastructure, online delivery that does not require more physical space, as well as a cost structure that is expected to cover its costs.

The school also has sufficient resources to begin offering the program and may strengthen its financial position as a result of offering these programs since they will appeal to a larger pool of potential students both locally and farther away as the programs are offered online. The school also has experience offering three other non J.D. programs and it has done so without detracting from the school's J.D. program. Similar resources are being dedicated to these new programs, suggesting that similar results will be achieved.

The programs also comply with the curriculum and substantive program requirements adopted by the Committee for professional law degree programs.

In addition, the school has agreed to provide all candidates with the proper disclosures on the website and in all other communications so that students understand that these degrees do not qualify students to sit for the California Bar Examination or be licensed in California, and may not qualify them to do so in any other jurisdiction, and that the Committee's acquiescence does not constitute approval.

Therefore, it appears that LLSSJ has addressed each relevant rule and guideline and made the requisite showing that the proposed Master of Legal Studies (M.L.S), a Joint M.L.S/Juris Doctor (J.D.) and a Master of Laws (LL.M.) degrees will not "detract from the law school's ability to maintain its Juris doctor degree program in compliance with the Rules and these guidelines."

RECOMMENDATION

It is recommended that the Committee approve LLSSJ'S three Major Change Requests and acquiesce to the school's plan to offer the three requested programs effective immediately.

MOTION

Should the Committee agree with the above recommendation, the following motion would be appropriate:

Move that the Major Change requests received from Lincoln Law School of San Jose (LLSSJ) seeking the Committee's acquiescence to offer the following three degrees be received, filed and granted: 1) a Patent Agent Certificate Program; 2) a Master of Legal Studies in Intellectual Property Law; and A Master of Laws degree program designed for law students and lawyers from other countries, effective immediately.

ATTACHMENTS

- A. May 29, 2019 Letter from Dean Palazzolo to Amy Nuñez

May 29, 2019

Via Electronic and First-Class Mail

Ms. Amy Nunez
Admission Director
The State Bar of California
180 Howard Street
San Francisco, CA 94105-1639
Amy.Nunez@calbar.ca.gov

Re: (Amended) Notification and Application for Committee Approval of Major Changes and Acquiescence in a Patent Agent Certificate Program, and two Professional Degree Programs: a Master of Legal Studies with a concentration in Intellectual Property (I.P. M.L.S.), and a Master of Laws with a concentration in Intellectual Property (I.P. LL.M)

Dear Ms. Nunez:

Pursuant to Rules 4.105(K), 4.164 and 4.165 of the *Accredited Law School Rules* (“*Rule(s)*”), and Division 13 of the Guidelines for Accredited Law School Rules (“*Guideline(s)*”), this letter and its enclosures serve as the formal notification and application of Lincoln Law School of San Jose (“Lincoln”) for the Committee’s acquiescence and approval of three major changes which would allow Lincoln to establish and award a certificate and two professional law degrees, in addition to its existing Juris Doctor (J.D.) degree program:

- (1) A Patent Agent Certificate (a major change under *Rule* 4.165(E));
- (2) A Master of Legal Studies with a concentration in Intellectual Property (I.P. M.L.S.) degree program (a major change under *Rule* 4.165(E)); and
- (3) A Master of Laws with a concentration in Intellectual Property (I.P. LL.M.) degree program for lawyers (a major change under *Rule* 4.165(E)).

This application is based on this letter, together with the enclosed: “Major Change Proposals to the Committee of Bar Examiners” and Lincoln’s Audited Financial Statements for the fiscal year ending 2018. Two checks in the amount of \$500.00 representing the processing fees for these applications were previously sent in March.

Lincoln and its fellow CALS schools exist to provide educational alternatives for working adults. Over the past six years, Lincoln has been working closely with the United States Patent and Trademark Office (“USPTO”) to create additional pathways for professional success by providing a hands-on clinical experience for Lincoln students interested in pursuing degrees and certificates in Intellectual Property. The Certificate, and the M.L.S. and LL.M. degrees are

designed not to detract from Lincoln's existing J.D. program, but rather to add additional value to it for our current and future students.

As noted in the attached Proposals, the Certificate and the M.L.S. degree are useful tools for students who wish to acquire specialized legal knowledge for career advancement, but do not desire to become attorneys. Some years ago, the USPTO asked Lincoln to prepare a Patent Agent Certificate program for persons wishing to prosecute patents, but not wishing to become Patent Attorneys. The I.P. M.L.S. is the next logical step for students wishing to build on their Patent Agent classes. In the Silicon Valley especially, an advanced degree in intellectual property studies may be particularly relevant to engineers and others working in local high technology companies.

The Silicon Valley also boasts a large number of attorneys working in firms that cater to the needs of high technology companies. Such attorneys would benefit from specialized classes designed to assist them in understanding intellectual property principles and practical strategies for the protection of intellectual property assets. While other local universities also offer I.P. LL.M. degrees, Lincoln is the only school in Northern California (indeed, the only non-ABA school in the country) to offer hands on patent and trademark clinics which allow law students to work directly with the USPTO. As well, Lincoln's mission allows it to provide such opportunities at prices attorneys not already working at major firms can afford – thus providing them the experience they need to advance their legal careers.

For these reasons, and for the reasons set forth below, Lincoln respectfully requests the Committee acquiesce to Lincoln's conferral of the certificate and professional degrees described herein.

A. Demonstration of Compliance with Guideline 13.

1. Ability to Maintain Juris Doctor Degree Program - Guideline 13.2(B)

Under *Guideline 13.2(B)*, in an application for Committee acquiescence of a professional law degree program, a law school "must demonstrate to the satisfaction of the Committee that receiving acquiescence to grant a professional law degree in addition to the Juris Doctor will not detract from the law school's ability to maintain its Juris Doctor Degree program in compliance with the *Rules* and these *Guidelines*."

We respectfully submit that the Committee's acquiescence in Lincoln's granting of the contemplated Certificate, and I.P. M.L.S., and I.P. LL.M. degrees will in no respect detract from our ability to maintain our J.D. program in compliance with the *Rules* and *Guidelines*.

Lincoln is a fixed-facility law school located in San Jose, California. Lincoln was originally established in 1919, and its San Jose location has been separately accredited by the CBE since 1993. Joseph Moless, its dean from 1999 to 2015, was a traditionalist. As a result, Lincoln stayed true to its original mandate – to provide evening classes for working adults resulting in the conferral of a Juris Doctor degree and the ability to sit for the California Bar Examination. Lincoln remains committed to the J.D. program as the heart of the institution. But times are changing, and recent college graduates are looking for the means to advance their

careers with Certificates and Masters Degree programs. An understanding of the law at an advanced level is important for entrepreneurs, managers and many other business professionals who have no desire to practice law as a profession. The certificate and degree programs Lincoln is proposing herein will help serve that community by providing them with the opportunity to take J.D. program curriculum courses and obtain a specialized Certificate or masters level degree for their efforts.

As evidenced by the Financial Audit Report for fiscal year ending 2018, attached to Lincoln's April 29, 2019 letter on this same subject, Lincoln's financial position is strong. The CBE last inspected Lincoln in October 2018 and is expected to determine that Lincoln was in compliance with the *Rules and Guidelines*, as found and recommended by the site visit team. The Western Association of Schools and Colleges will conduct a site inspection in October of 2019 to determine if Lincoln may be accredited by this regional accreditor as well. Lincoln established its WSCUC eligibility in 2018.

Lincoln offers the bulk of its core curriculum to its J.D. program students through classes held on campus in the evenings from 6:40 p.m. to 9:30 p.m. Monday through Thursday. Over the last few years, Lincoln has been producing its intellectual property courses in an online format. Lincoln J.D. students have appreciated the convenience of being able to take elective courses without having to fight Bay Area after work commutes. As well, the digital format has allowed Lincoln to extend the reach of its intellectual property curriculum. In addition, Lincoln students have been able to interact with their I.P. Clinic mentors by remote means (generally video conference calls) to discuss progress on client matters. With so few USPTO offices throughout the country, it is common for intellectual property practitioners to communicate with the USPTO by remote means. Lincoln therefore intends to make its Certificate, I.P. M.L.S. and I.P. LL.M. courses available nationwide in a fully online format. Lincoln currently intends to charge its Certificate, I.P. M.L.S. and I.P. LL.M. students the same tuition (currently \$856 per unit, plus approximately \$550 in fees per year) as it charges to its J.D. students.

Currently, average enrollment in the courses Lincoln would be requiring most students in the Certificate, I.P. M.L.S. and I.P. LL.M. programs to take, ranges from 5 to 10 students. Lincoln expects those numbers to double once all of the courses are made available online. Lincoln has already invested in the necessary technological platforms and production costs, so little additional expense is expected, except in building additional classes as the market may demand. To date, those classes have been produced at the same cost as elective classes offered on site. Thus, apart from the implementation of a few new policies, forms, notices and registration materials to support these programs, no substantive programmatic, academic, administrative or financial changes will be required to implement the Certificate, I.P. M.L.S., or I.P. LL.M. programs.

2. *Compliance with CBE Curriculum and Substantive Program Requirements - Guideline 13.2(C)*

Under *Guideline 13.2(C)*, in an application for Committee acquiescence of a professional law degree program, a law school "must demonstrate to the satisfaction of the Committee that its

proposal complies with the curriculum and other substantive program requirements adopted by the Committee for professional law degree programs in addition to the J.D. Program.”

The Major Change Proposals attached hereto demonstrate that the proposed Certificate, I.P. M.L.S., and I.P. LL.M. degree programs comply with the curriculum and program requirements established by the CBE.

The proposed Patent Agent Certificate program is a graduate program designed to equip students to obtain employment as a Patent Agent. The Patent Agent Certificate program requires completion of a curriculum of at least eight (8) units of Intellectual Property courses, including four units (one full year) of participation in Lincoln’s Intellectual Property (Patent) Clinic.

The proposed I.P. M.L.S. program is a post-graduate program designed to give students an in-depth knowledge of the law to prepare them for careers in non-legal professions which require extensive knowledge of the law. It may also serve as a stepping stone for incoming students to transfer into the J.D. program, assuming all eligibility requirements are met. The proposed I.P. M.L.S. program will consist of 33 units, which will include some of the foundational courses required of first year J.D. students, and thereafter, a choice of other intellectual property related courses or existing electives/independent study. Students in the I.P. M.L.S. program will be permitted to maintain slightly lower individual course grades and cumulative course grades than students in the J.D. Program. As noted in a previous application for a joint degree program, the Joint M.L.S./J.D. students will be required to meet all the higher standards of the J.D. program.

The proposed I.P. LL.M. program is a graduate program designed to teach lawyers and recipients of a first degree of law from foreign law schools, the fundamentals and of intellectual property law and its application in patent and trademark matters. The I.P. LL.M. program will consist of 21 units, designed to provide them with flexibility to choose from the more than 45 different masters and doctoral courses offered by Lincoln to its J.D. students, as well as specialized intellectual property offerings. All courses will be graded based on the same standards and criteria as the proposed I.P. M.L.S. program.

3. Compliance with Guideline 13.3.

If the Certificate, I.P. M.L.S., and I.P. LL.M. degree programs are approved, Lincoln will include the disclosure for professional law degree programs required by *Guideline 13.3*, in its course catalog and on the principal page of its website for its Certificate, I.P. M.L.S., and I.P. LL.M. programs.

4. Compliance with Guideline 13.4

If the Certificate, I.P. M.L.S. and I.P. LL.M. degree programs are approved, Lincoln will refer all prospective students to its course catalog and website in written correspondence or electronic communications sent by the law school in response to inquiries about admission to the Certificate, I.P. M.L.S., and/or I.P. LL.M. programs as required by *Guideline 13.4*.

Ms. Amy Nunez

May 29, 2019

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Finally, in accordance with *Rule* 4.164 and *Guideline* 13.2(A), please let me know if the Committee would like any additional information or an inspection to assist it in evaluating the proposals contained herein.

Sincerely,

Laura Palazzolo
Dean

LINCOLN LAW SCHOOL OF SAN JOSE

Major Change Proposals to the Committee of Bar Examiners

- (1) To continue a Patent Agent Certificate Program requested by the USPTO**
- (2) To Offer a Master of Legal Studies Degree Program with a concentration in IP**
- (3) To Offer a Master of Laws Degree Program with a concentration in IP**

Pursuant to Rules 4.105(K), 4.164 and 4.165 of the *Accredited Law School Rules* (“*Rule(s)*”), and Division 13 of the Guidelines for Accredited Law School Rules (“*Guideline(s)*”), Lincoln Law School of San Jose (“Lincoln”) is notifying the Committee and requests its acquiescence and approval of three major changes which would allow Lincoln to establish and award a certificate and two new professional law degrees, in addition to its existing Juris Doctor (J.D.) degree program:

- (1) A Patent Agent Certificate program (a major change under *Rule* 4.165(E))
- (2) A Master of Legal Studies (M.L.S.) degree program with a concentration in Intellectual Property Law (a major change under *Rule* 4.165(E));
- (3) A Master of Laws (LL.M.) degree program for foreign law students and lawyers (a major change under *Rule* 4.165(E));

I.

OUTLINE OF [PROPOSED] PATENT AGENT CERTIFICATE PROGRAM

Purposes and Objectives of the Patent Agent Certificate Program

The Patent Agent Certificate program is a graduate program designed to equip students to obtain employment as a Patent Agent. The program was designed at the request of the United States Patent and Trademark Office (“USPTO”), under whose authority Lincoln operates the only public patent and trademark clinic in Northern California, and the only such clinic in the country authorized at a non-ABA school. This program serves individuals with an undergraduate or graduate degree in science or engineering, who wish to assist individuals and companies in protecting their intellectual property assets by obtaining approval of those patents from the USPTO – without the requirement of obtaining a law degree. Graduates of the Patent Agent program are prepared to take the Patent Bar examination, and will have participated in the prosecution of patents through Lincoln’s Patent Clinic, such that they will enter the workforce with an existing portfolio of patent prosecution work in direct contact with the USPTO office.

Description of the Patent Agent Certificate Program

The Patent Agent Certificate program requires completion of a curriculum of at least eight (8) units of Intellectual Property courses, including four units (one full year) of participation in Lincoln's Intellectual Property (Patent) Clinic.

The Patent Agent Certificate program is designed to be completed in one (1) year.

Qualifications for Entry into the Patent Agent Certificate Program

Qualifications to enter the Patent Agent Certificate program include:

1. A Bachelor's Degree from an accredited college or university in the United States or verification of an equivalent foreign education, subject to evaluation of foreign transcripts by approved evaluation providers.
2. Transcripts from all colleges attended.
3. A resume.
4. Two letters of recommendation from individuals who can attest to the honesty, integrity, ability, and professionalism of the applicant.
5. A letter describing why the applicant wishes to enter the Program and what they expect to achieve through it.
6. Completion of the Patent Agent Certificate Program application.

Please note that students entering the Patent Agent Certificate program must have a Bachelor's Degree in certain science, technology, engineering, or math ("STEM") subjects as designated by the USPTO, but are not required to take the Law School Admissions Test (LSAT), GRE, GMAT or other graduate admissions test.

Curriculum

More complete course descriptions are contained in the online Lincoln course catalog as well as class syllabi which are available for review.

Certificate Program includes

Introduction to IP Strategy	(Required, 1 unit)
Patent Clinic	(Required, 4 units)
Patent Prosecution	(Required, 2 units)
Patent Bar Review	(Required, 1 unit)

Additional intellectual-property-related electives are optional.

Grading Scale and Criteria for Advancement.

Graduation from the Patent Agent Certificate program requires that all required courses are passed with an individual percentage score of 70 or higher on a 100 point scale for each course and a cumulative percentage score for all courses of 74 or higher on a 100 point scale. The Academic Standards Committee, at its option, may approve a student to retake any course upon a

finding by the ASC that the student has demonstrated that they are reasonably likely to perform satisfactorily upon such a retaking.

Tuition and Fees

Tuition and fees for the Patent Agent Certificate program are the same per unit as for the School's J.D. degree program, including the same registration and other fees, except that students who graduate in the Patent Agent Certificate program need not pay the \$500 graduation fee because the Certificate is not a degree program.

The School's current tuition is \$856.00 per unit. Registration fees, assuming completion of the program in one year, will total approximately \$250.00. A separate materials fee in the amount of \$1895.00 is payable to a third party vendor in connection with the Patent Bar Review class (a discount for Lincoln students from the regular vendor pricing). Total tuition and fees will be approximately \$8,993.00 for the Patent Agent Certificate program if completed in one year.

II.

OUTLINE OF [PROPOSED] MASTER OF LEGAL STUDIES (M.L.S.) PROGRAM

Purposes and Objectives of the I.P. M.L.S. Program

The Master of Legal Studies (M.L.S.) degree program with a concentration in Intellectual Property Law is a graduate program designed to equip students to pursue a wide variety of career choices by providing a foundational understanding of Intellectual Property law and jurisprudence and developing legal skills useful to a broad range of endeavors including introduction to intellectual property, intellectual property case law analysis, introduction to intellectual property strategy, protection of copyrights (and other forms of soft IP), as well as patent or trademark focused courses such as patent drafting, patent prosecution, patent monetization, patent case law analysis, and trademark prosecution. This program serves individuals who would like to concentrate their studies in Intellectual Property law, but who do not desire to become lawyers. Graduates of the I.P. M.L.S. Program may concurrently earn a Patent Agent Certificate and qualify to sit for the Patent Bar examination.

Description of the I.P. M.L.S. Program

The I.P. M.L.S. degree program requires completion of a curriculum of thirty-three (33) units including a complete curriculum of Intellectual Property courses, and a sufficient number of elective courses to allow students to obtain a broad background that will allow them flexibility in the areas in which they wish to proceed with their careers upon graduation.

The I.P. M.L.S. degree program is designed to be completed in two (2) years, but may be completed in as few as 12 months, or extended to as many as 48 months in order to accommodate particular students' schedules and allow sufficient time to complete the work required.

Qualifications for Entry into the I.P. M.L.S. Degree Program

Qualifications to enter the I.P. M.L.S. degree program include:

7. A Bachelor's Degree from an accredited college or university in the United States or verification of an equivalent foreign education, subject to evaluation of foreign transcripts by approved evaluation providers.
8. Transcripts from all colleges attended.
9. A resume.
10. Two letters of recommendation from individuals who can attest to the honesty, integrity, ability, and professionalism of the applicant.
11. A letter describing why the applicant wishes to enter the Program and what they expect to achieve through it.
12. Completion of the M.L.S. Degree Program application.

Please note that students entering the I.P. M.L.S. degree program must have a Bachelor's Degree, but are not required to take the Law School Admissions Test (LSAT), GRE, GMAT or

other graduate admissions test. A bachelors or masters in certain science, technology, engineering, or math (“STEM”) degrees may be a prerequisite for certain patent-related courses.

Curriculum

More complete course descriptions are contained in the online Lincoln course catalog as well as class syllabi which are available for review.

First Year includes

Introduction to IP Case Law Analysis	(Required, 1 unit)
Introduction to IP Strategy	(Required, 1 unit)
Legal Skills I and II	(Required, 4 units)
Contracts I	(Required, 3 units)
Elective(s)**	(5 units)

Second Year may include:

Patent Case Law Analysis	(3 units)
Patent Prosecution	(3 units)
Patent Application Drafting	(2 units)
Trademark Prosecution	(2 units)
Elective(s)**	(5 units)
Advanced Legal Research and Writing*	(Required, 2 units)

Electives to be chosen from the following:

Business Organizations I	(2 units)
Business Organizations II**	(2 units)
Professional Responsibility I	(3 units)
Professional Responsibility II	(1 unit)
Evidence I	(3 units)
Evidence II**	(3 units)
Civil Procedure I	(2 units)
Civil Procedure II**	(2 units)
IP Legal Skills	(2 units)
In House IP Perspectives	(1 unit)
Patent Monetization	(2 units)
Patent Bar Preparation**	(3 units)
Patent Clinic**	(2 units)

Additional electives as approved by the Dean or the Dean’s designee.

Elective IP Clinic. This program may consist of no more than four (4) units in the aggregate and must be approved by the Dean or the Dean’s designee as being appropriate toward advancing the student’s legal and practical knowledge in the areas in which they intend to promote their future or existing careers. Certain prerequisites required.

Masters Thesis. As an alternative to the IP Clinic project, students may conduct research on an approved topic centering on either a contemporary legal issue or how intellectual property law may be applied to resolve challenges in society or business and complete an essay between 5,000 and 10,000 words expressing a thorough analysis of their approved topic.

*Advanced Legal Research and Writing, for students wishing to receive an M.L.S. degree on either a stand-alone basis or combined with a J.D., this program will include the two (2) unit course required of all J.D. students plus another two (2) units to be taken in the student's last semester as a Legal Research and Writing course specifically tailored to include guidance in writing a graduate level paper on the student's approved topic.

** Participation subject to certain prerequisites. Students wishing to qualify to take the Patent Bar Exam must meet all requirements promulgated by the United States Patent and Trademark Office for underlying education.

Grading Scale and Criteria for Advancement.

Graduation from the I.P. M.L.S. degree program requires that all required courses are passed with an individual percentage score of 66 or higher on a 100 point scale for each course and a cumulative percentage score for all courses of 70 or higher on a 100 point scale. Students who do not achieve a 70 or higher grade average during their first year of the I.P. M.L.S. degree program may be advanced to their next year of study on academic probation only upon petition to the Academic Standards Committee (ASC), so long as their cumulative percentage score for their completed courses is at least 68, and upon a finding by the ASC, in its reasonable but sole discretion, that the student has a reasonable likelihood of improving the cumulative percentage score to 70 or above for the first and second years combined. The ASC, at its option, may approve a student to retake any course upon a finding by the ASC that the student has demonstrated that they are reasonably likely to perform satisfactorily upon such a retaking. A student who is unable to meet the requirement of a cumulative percentage score of 70 or above at the end of their second year after being advanced to that year on academic probation will not be allowed to continue in the I.P. M.L.S. degree program.

Tuition and Fees

Tuition and fees for the I.P. M.L.S. degree program are the same per unit as for the School's J.D. degree program, including the same registration and other fees, except that students who graduate in the I.P. M.L.S. degree program alone must pay their \$500 graduation fee with their Fall Semester registration fee for the year in which they graduate.

The School's current tuition is \$856.00 per unit. Registration fees, assuming completion of the program in two years, will total approximately \$1,800.00, including the graduation fee. Total tuition and fees will be approximately \$30,048.00 for the I.P. M.L.S. Degree Program if completed in two years.

Required Disclosure for Professional Law Degree Programs Other Than a J.D

Lincoln acknowledges that the following disclosure will be required to be included on its website and other materials describing its M.L.S. Programs: “Except as provided in rule 4.30 of the *Admissions Rules* (Legal Education in a foreign state or country), completion of a professional law degree program at this law school other than for a Juris Doctor degree does not qualify a student to take the California Bar Examination or satisfy the requirements for admission to practice law in California. It may not qualify a student to take the bar examination or to satisfy requirements for admission to the practice of law in any other jurisdiction. A student intending to seek admission to practice law should contact the admitting authority in the jurisdictions where the student intends to qualify to sit for the bar examination or to be admitted to practice for information regarding their legal education requirements.”

III.

OUTLINE OF [PROPOSED] MASTER OF LAWS (LL.M.) PROGRAM WITH EMPHASIS IN INTELLECTUAL PROPERTY LAW

Purposes and Objectives of the I.P. LL.M. Program

The Intellectual Property Master of Laws (I.P. LL.M.) degree program is a flexible graduate program designed to assist lawyers and recipients of a first degree of law from foreign law schools, in their efforts to:

1. learn the fundamentals of the American Intellectual Property laws;
2. acquire legal research and writing skills;
3. earn an advanced degree that may broaden employment opportunities; and/or
4. qualify them to sit for the Patent Bar Examination, if applicable.

Description of the I.P. LL.M. Program

This is a flexible program tailored to teach lawyers and the recipients of the first degree in law from foreign law schools, fundamentals of American Intellectual Property law and subject matters tested on the Patent Bar Examination, whether or not the student desires to sit for the exam. Students must have obtained an undergraduate or masters degree in certain science, technology, engineering, and math (“STEM”)-related fields to qualify to take the Patent Bar exam. However, students without STEM degrees may practice trademark and copyright law without sitting for the Patent Bar.

Qualifications for Entry into the I.P. LL.M Degree Program

Qualifications to enter the I.P. LL.M. degree program include:

1. Proof of the equivalent of a Doctor of Jurisprudence Degree from an accredited educational institution.
2. For students with a first degree in law from a foreign institution, a certificate from a CBE approved credentialed evaluation service that the first degree in law is substantially equivalent to a Juris Doctor degree awarded by a law school approved by the American Bar Association or approved by the CBE and that the student’s first degree in law meets the educational requirements for admission to practice law in the foreign state or country in which it was obtained.
3. For foreign-admitted lawyers, proof of admission in a legally recognized jurisdiction.
4. Transcripts from all colleges, graduate schools and law schools attended, foreign or domestic.
5. A resume.
6. Two letters of recommendation from individuals who can attest to the honesty, integrity, ability, and professionalism of the applicant.
7. A letter describing why the applicant wishes to enter the Program and what they expect to achieve through it.
8. Completion of the I.P. LL.M. degree program application.

Curriculum

The program consists of a minimum of 21 units of legal education. For students who desire to sit for the Patent Bar Exam, the units may include 3 units of Patent Bar preparation courses. Although the program is intended to be flexible to allow individuals the opportunity to choose in which areas of Intellectual Property law they wish to focus, the following courses are required:

Intro to IP Strategy	(Required, 1 unit)
Intro to IP Case Law Analysis	(Required, 1 unit)

Plus 10 units of electives from the following:

In House IP Perspectives	(1 unit)
Patent Monetization	(2 units)
Patent Bar Preparation	(3 units)
Patent Application Drafting	(2 units)
Patent Case Law Analysis	(3 units)
Patent Prosecution	(3 units)
Trademark Prosecution	(2 units)

Students are thereafter free to choose from the list of master or doctoral level courses contained in the Lincoln course catalog to fulfill the 21 unit curriculum. Lincoln presently offers over 50 different masters and doctoral courses. Faculty members and advisors are available to assist with students' educational planning needs.

Grading Scale and Criteria for Advancement.

All grading and advancement criteria will be in conformance with the grading scale and rules applicable to the I.P. M.L.S. degree program.

Tuition and Fees

Per unit tuition and semester fees for legal education courses taken under the I.P. LL.M. degree program are the same as for those units taken under the J.D. Program, except that students who graduate in the I.P. LL.M. degree program must pay the \$500 graduation fee with their Fall Semester registration fee for the year in which they graduate. The School's current tuition is \$856.00 per unit. Fees are currently approximately \$550 per year.

Required Disclosure for Professional Law Degree Programs Other Than a J.D

Lincoln acknowledges that the following disclosure will be required to be included on its website and other materials describing its LL.M. Programs: "Except as provided in rule 4.30 of the *Admissions Rules* (Legal Education in a foreign state or country), completion of a professional law degree program at this law school other than for a Juris Doctor degree does not qualify a student to take the California Bar Examination or satisfy the requirements for admission to practice law in California. It may not qualify a student to take the bar examination or to satisfy requirements for admission to the practice of law in any other jurisdiction. A student intending to seek admission to practice law should contact the admitting authority in the jurisdictions

where the student intends to qualify to sit for the bar examination or to be admitted to practice for information regarding their legal education requirements.”