



Subject: Business - Management

Number: EBGN 567

Course Title: Business Law & Ethics

Section: A

Semester/year: Fall 2016

Instructor or Coordinator: Mark B. Mondry, Teaching Associate Professor

Contact information (Office/Phone/Email): Engineering Hall, room 319
303.384.2359
mmondry@mines.edu

Office hours: Mon & Wed: 2:00pm – 4:00pm
Tue: 12:00pm – 2:00pm
Other times available by appointment

Class meeting days/times: Tuesdays & Thursdays 9:30am – 10:15am

Class meeting location: Berthoud Hall 106

Web Page/Blackboard link (if applicable): Blackboard

Teaching Assistant (if applicable): TBD

Contact information (Office/Phone/Email): TBD

Instructional activity: 3 hours lecture hours lab 3 semester hours

Course designation: Common Core Distributed Science or Engineering
 Major requirement x Elective Other (please describe _____)

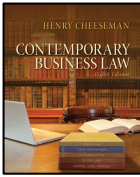
Course description from Bulletin:

This course incorporates a broad range of legal topics and ethical issues relevant to technology-based organizations, from start-ups to mature Fortune 100 international corporations. The topics encompass numerous aspects of U.S. business law including: the court system, contracts, e-commerce, managerial ethics, contracts, early stage business formation, property, product liability, governmental regulation and employment law; as well as touching on some of the complexities of intellectual property law and strategy.

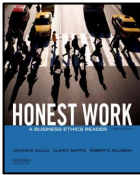
The course is discussion based, with some lecture, and moves rapidly. A significant portion of class time will be applied to exploring and discussing assigned topics through relevant abbreviated court case descriptions, ethics reader assignments and current and recent events in business. The overall goal of this course is not to make you a legal expert, but rather to make you a better manager and leader by exposing you to a range of legal topics and thereby making you better equipped to *ask the right questions* in the process of *making better, more informed decisions*.

Textbook and/or other requirement materials:

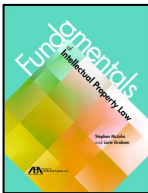
Required texts:



Contemporary Business Law, 8th edition.
H. Cheeseman, Pearson, 2014.
(ISBN: 978-0133578164)



Honest Work: A Business Ethics Reader, 3rd edition.
J. Ciulla, C. Martin, & R. Solomon, Oxford University Press, 2013.
(ISBN: 978-0199944200)



Fundamentals of Intellectual Property Law.
S. McJohn & L. Graham, American Bar Association, 2016.
(ISBN: 978-1634252539)

Other required supplemental information: Students are required to access their CSM Blackboard site for our course several times a week to view or download supplemental materials and to post blog assignments.

Student learning outcomes: At the conclusion of the class students will...

1. Describe the sources of U.S. law and explain the differences between law, ethics and the social responsibility of business.
2. Integrate business law considerations into business decision processes, and demonstrate how this integration can identify important questions that must be considered from a risk context.
3. Gain business skills by exercising advocacy of alternative positions in class discussions.
4. Analyze business cases to identify legal and ethical considerations.
5. Demonstrate how ethical issues and considerations can impact personal and managerial decisions in business organizations.
6. Define the structure of the U.S. court system, the general stages of the civil litigation process and forms of alternative dispute resolution available to commercial enterprises.
7. Apply the elements of contract formation, performance and discharge to commercial transaction scenarios to identify potential contractual legal risks and liabilities.
8. Analyze contract breach scenarios and determine damages calculations and possible equitable remedies.
9. Identify business and white-collar crimes, and describe the U.S. criminal legal procedure.
10. Define intentional and unintentional torts that can apply to business conduct, and identify activities that could expose an organization to risks of legal liability under the legal theories of negligence.
11. Describe the different forms of intellectual property protection, including patents, trademarks, copyrights and trade secrets and how they may apply to different forms of technology development.
12. Identify express and implied warranties, and define the sources of product liability.
13. Define the different types of bankruptcy available under federal law, and describe federal bankruptcy procedure.
14. Apply agency law to different employment and agency business situations to identify potential legal risks and obligations.
15. Analyze an entrepreneurial business opportunity and identify the available forms of legal entity creation applicable to those opportunities.
16. Explain the elements of good corporate governance.

17. Define three different forms of business mergers and acquisitions, and how the general antitrust laws can impact potential business combinations.
18. Identify at least three labor and employment practices that can expose businesses to legal liability.

Brief list of topics covered:

1. Business ethics and corporate social responsibility.
2. Aspects of constitutional law that relate to business.
3. The civil litigation process and how criminal procedure differs.
4. Contract formation, performance, discharge and damages resulting from breach.
5. White collar crime.
6. Intellectual property laws.
7. Torts law as applied to businesses.
8. Bankruptcy law and procedure.
9. Legal considerations for start-ups.
10. The scope of legal agency and the associated risks that arise in business contexts.
11. Corporate governance.
12. Business mergers and acquisitions.
13. Franchise law.
14. Antitrust law and unfair trade practices.
15. Consumer safety and environmental protection.
16. Labor, worker protection and immigration laws.
17. Personal property, real property and landlord-tenant law.
18. International trade laws.

Policy on academic integrity/misconduct: The Colorado School of Mines affirms the principle that all individuals associated with the Mines academic community have a responsibility for establishing, maintaining an fostering an understanding and appreciation for academic integrity. In broad terms, this implies protecting the environment of mutual trust within which scholarly exchange occurs, supporting the ability of the faculty to fairly and effectively evaluate every student's academic achievements, and giving credence to the university's educational mission, its scholarly objectives and the substance of the degrees it awards. The protection of academic integrity requires there to be clear and consistent standards, as well as confrontation and sanctions when individuals violate those standards. The Colorado School of Mines desires an environment free of any and all forms of academic misconduct and expects students to act with integrity at all times.

Academic misconduct is the intentional act of fraud, in which an individual seeks to claim credit for the work and efforts of another without authorization, or uses unauthorized materials or fabricated information in any academic exercise. Student Academic Misconduct arises when a student violates the principle of academic integrity. Such behavior erodes mutual trust, distorts the fair evaluation of academic achievements, violates the ethical code of behavior upon which education and scholarship rest, and undermines the credibility of the university. Because of the serious institutional and individual ramifications, student misconduct arising from violations of academic integrity is not tolerated at Mines. If a student is found to have engaged in such misconduct sanctions such as change of a grade, loss of institutional privileges, or academic suspension or dismissal may be imposed.

The complete policy is [online](#).

Grading Procedures: Each student's course grade will be based on the following components (described below):

(a) Quizzes	25%
(b) Deliverables:	10%
(c) In-class Participation:	15%
(d) Blog Posts and Comments:	10%

(e) Final Project (written)	<u>40%</u>
Total:	100%

Description of Each Component:

(a) Quizzes – The quizzes will be short answer/essay, multiple choice, T/F or fill in the type questions focusing on the reading from our text *Contemporary Business Law*. Quizzes will be on the dates indicated in the *Class Schedule and Assignments* (attached), usually at the beginning of class, and are designed to determine if you are keeping up with the assigned reading and able to apply the concepts of the content.

(b) Deliverables – The assignments in any given week may include written “Deliverables” that are due at the beginning of class. These deliverables may include responses to chapter problems, reflections on cases or essays in the reading, or other assignments. The deliverables are designed to provide experience using important legal and ethical concepts and are an important component of the course grade. The deliverables are due at the beginning of class (hard copy). Late submissions will receive a zero grade unless extraordinary circumstances warrant otherwise (at the discretion of the instructor).

(c) In-class Participation – Each class session will have assigned reading to be completed in advance of the class session (see Class Schedule and Assignments attached). The instructor may randomly call on students to participate in the discussion of topics from the assigned reading. Additionally, some classes will have assigned exercises that will be part of our class discussion but do not need to be turned-in. These exercises are listed as “Prep” in the “Assignments Due” column for that class session (note: the exercises to be turned-in are called “Deliverables” as described above). Your participation in class discussions will be graded based on the quality of your participation, i.e., whether you can reflect on the content from the assigned reading in a way that shows you did read the material and are able to apply the concepts.

(d) Blog Posts and Comments – Most weeks, students are required to post an original post (≥50 words) responsive the weekly topic/question/exercise posted in the “weekly blogs” section of our Blackboard course site AND one response to another student’s post (≥25 words) for that week as provided on the Class Schedule and Assignments. Students should be respectful of each other’s positions and contributions as would be required in a professional workplace. Taking contrary or alternative positions is encouraged to broaden the dialogue.

(e) Final Project – The final project is a written project that applies topics that we cover in class and critical thinking skills to a “closed universe” fact situation provided by the instructor. More details on the final project will be provided during the semester and students will have approximately one week to complete the project.

Coursework Return Policy: Coursework submitted by a student in this course that is part of the course grade (i.e., subject to graded evaluation by the instructor and considered as a component of the overall course grade) will be graded by the instructor and returned to the student promptly, usually within two (2) class sessions from the date of submission, to allow students to learn from the evaluation and apply that learning to the remaining coursework expectations for the semester. If a submission is at the end of the semester (i.e., part of a final exam, final project or deliverable submitted on or near finals week), a student will receive a grade evaluation only as part of the overall course grade and will not receive a return of the tangible coursework submission (paper, exam, etc.).

Absence Policy: Generally, students are expected to attend every class. Your participation in each class benefits each student in the class as we all learn from each other’s contributions, experiences and ideas. It is this sharing of ideas and differing perspectives communicated by class discussions that separate the in-class experience from one that could be provided from merely reading the assigned materials. Therefore, excused or unexcused absences will reflect negatively on your in-class discussion/participation grade component. In the event that you anticipate not being able to attend a class session due to illness or a work related or personal obligation, you are expected to contact the instructor in advance by email or phone notifying of your expected absence. In the event of an unanticipated absence (i.e., emergency or unavoidable circumstances), please contact the instructor as soon as reasonably possible to communicate the nature of the absence. Absences that are reasonable

(determined at the discretion of the instructor) will be deemed excused, all others will be deemed unexcused.

Homework: Your homework consists of the items in the “Assignments Due” column in the attached Class Schedule and Assignments table for each class session. This will include assigned reading, deliverables, and blog posts.

- **Assigned Reading:** Each class session will have assigned reading as part of the homework, and you are expected to have completed the reading before the class session in order to constructively participate in the class discussions and activities. You will get far more out of the class sessions if you have read the assigned materials before the class. We will cover a great deal of material over the semester and our class time does not provide adequate time to cover all information in the assigned reading.
- **Deliverables:** All deliverables must be turned in on time – plan ahead. Late submissions will receive a zero grade unless there are extraordinary circumstances as deemed so by the instructor. Deliverables should be uploaded into our Blackboard course site, unless the instructor specifically requests otherwise for a particular deliverable.
- **Quizzes:** If you know you will be absent during a scheduled quiz, you should schedule a make-up time before the scheduled quiz. In the event of an unanticipated absence during a quiz or exam, please contact the instructor as soon as reasonably possible to arrange a make-up time to take the quiz or exam.

Collaboration on Homework: Students are strongly encouraged to work in groups to complete homework and/or deliverables. However, students are required to participate in group work activities and not to just copy others work and submit it as their own. If you do work with other students on a deliverable, you are required to list the students you worked with on your deliverable.

Common Exam Policy: Not applicable.

Detailed Course Schedule: See the Attached Class Schedule and Assignments Table. This table is subject to revisions and updates throughout the semester. Changes will be announced as they occur on our blackboard course site.

Business Law & Ethics

EBGN 567 – Fall 2016

Class Schedule and Assignments*

Version 1.0 (8.23.2016)

*This table is subject to change during the semester by notice by the instructor.

Abbreviations: BB = Blackboard EBGN 567 course site weekly folder contents
 BL = Contemporary Business Law, 8th ed.
 HW = Honest Work – A Business Ethics Reader
 IP = Fundamentals of Intellectual Property Law

Week #	Class #	Date:	Topics:	Assignments Due:
Week 1	#1	Tue. 8/23	- Course introduction, student introductions. - Course structure and expectations. - Law vs. Ethics.	None. Bring any questions about the class that you may have.
	#2	Thur. 8/25	Legal Heritage and the Digital Age	Read: BL chap. 1; HW Introduction (p. xxiii) and “On the Job” (pp.1-3).
Week 2	#3	Tue. 8/30	Business Ethics and the Employee – Employer Relationship	Read: BL chap. 8; BB for week 2; HW “Introduction: Getting to Work” (p. xxiii), text box on pp. 6-7, “Exploring the Managed Heart” (pp.7-11); Case 1.3 “Does Home Life Matter at Work?” (p. 34); Blog: Post your week 2 blog entry by the beginning of class (on BB).
	#3	Thur. 9/1	Constitutional Law for Business and E-Commerce; Courts and Jurisdiction	Read: BL chaps. 2 & 3; BB for week 2; HW case 1.1 “The Job Interview” (p. 30), case 1.2, “Is Business Bluffing Ethical?” (p. 43); Prepare: Be ready to discuss questions 1-3 on HW p. 47. Blog: Review week 2 entries, post a comment to another student’s entry by the beginning of class.
Week 3	#4	Tues. 9/6	Corporate Social Responsibility (“CSR”)	Read: BB for week 3; HW: “A Stakeholder Theory of the Modern Corporation” (pp.263-269), “Business Ethics Gone Wrong” (pp. 275-279), “A ‘State of the Art’ Termination” (p. 32). Blog: Post your week 3 blog entry by the beginning of class.
	#5	Thurs. 9/8	Judicial, Alternative, Administrative and E-Dispute Resolution	Read: BL chap. 4; HW chap. 2 introduction “The Check is in the Mail” (p. 39-41), BB for week 3 Blog: Review week 3 entries, post a comment to another student’s entry by the beginning of class.
Week 4	#6	Tues. 9/13	Courts, ADR and Jurisdiction	Read: BL chap. 5; BB for week 4; HW: “A Capitalist Conception of Fairness: (pp. 217-223) Blog: No Blog this week due to Career day

Week #	Class #	Date:	Topics:	Assignments Due:
Week 4	#7	Thurs. 9/15	Intentional Torts and Negligence	QUIZ 1 (covering content of weeks #2-3) at start of class Read: BL chap. 6; BB for week 4 Blog: No Blog This week.
Week 5	#8	Tues. 9/20	Negligence (continued); Criminal Law and Cyber Crimes	Read: BL chap. 6; BB for week 5; HW box: "Ethical Decision Making" p.136 (read this box before posting your blog entry). Prepare: Case 5.1 (Disparagement, p 102 in BL); Case 5.2 (Negligence, p. 103); Case 6.6 (Search & Seizure, p. 128) Blog: Post your week 5 blog entry
	#9	Thurs. 9/22	Intellectual Property and Cyber Privacy; Ethics and Technology	Read: BL chap. 7; HW "Locke on Property" (box on p. 291), HW "IP Rights and Computer Software" (pp.293 – 300); BB for week 5. Prepare: BL Case 7.1 (Patents, p. 152); HW ques. #1&2 on p. 300 Blog: Review week 5 entries, post a comment to another student's entry by the beginning of class.
Week 6	#10	Tues. 9/27	More Intellectual Property; More Ethics & Technology	Read: BB content folder for week 6; HW: "The Next Civil Rights Battle Will be Over the Mind" (pp. 315-316) and "Why the Future Doesn't Need Us" (pp. 316-320). Prepare: BL Case 7.2 (Copyrights, p. 152); HW ques. #1&2 on p. 320. Blog: Post your week 6 blog entry by the beginning of class.
	#11	Thurs. 9/29	Intro to Contracts: Agreement and Consideration; Capacity and Legality	Read: BL chaps. 10 & 11; 1; BB for week 6 Prepare: BL cases: 10.1, p. 198; 10.4 & 10.5 on p. 199. Blog: Review week 6 blog entries, post a comment to another student's entry by the beginning of class.
Week 7	#12	Tues. 10/4	More Contracts: Genuineness of Assent and the Statute of Frauds	QUIZ 2 (covering BL chaps 6&7 and BB content folder materials from weeks 5 & 6) at start of class Read: BL chaps. 12 & 13; BB for week 6 Blog: Post your week 7 blog entry by the beginning of class.
	#13	Thurs. 10/6	Breach of Contract and Remedies; Digital Contracts Law and E-Commerce	Read: BL chap. 14 & 15; HW "Confucian Trustworthiness" pp. 476-481; BB for week 7 Prepare: HW ques. 2 & 3 p. 481. Blog: Review week 7 blog entries, post a comment to another student's entry by the beginning of class.
Week 8	#14	Tues. 10/11	Formation of Sales and Lease Contracts; Remedies for Breach of Sales and Lease Contracts	Read: BL chaps 16 & 18; BB for week 8 Prepare: BL cases 16.1, 16.2 and 16.3 (p. 298) Deliverable: None. Blog: Post your week 8 blog entry by the beginning of class.
	#15	Thurs. 10/13	Title to Goods and Risk of Loss;	QUIZ 3 (covering Contracts – topics in class sessions #11 - #14) at start of class. Read: BL chap. 17; BB for week 8 Prepare: None.

Week #	Class #	Date:	Topics:	Assignments Due:
				Deliverable: None. Blog: Review week 8 entries, post a comment to another student's entry by the beginning of class.
Week 9		Tues. 10/18	FALL BREAK	No Classes!
	#16	Thurs. 10/20	Warranties and Product Liability	Read: BL chap. 19; HW pp. 327-333; BB for week 8. Prepare: BL cases 19.1, 19.3 (p. 343), 19.4 & 19.5 (p. 344); HW ques. 1 p. 333. Deliverable: Find a product Warranty (from a product package or on-line, and briefly review it. Write down 2 things you are surprised to find in the warranty as a consumer and bring it to class (with your name on it). Blog: No blog for this week.
Week 10	#17	Tues. 10/25	Bankruptcy and Reorganization; Corporate Acquisitions and Multinational Corps.	Read: BL chap 24 & 29; BB for week 8 Prepare: BL cases 29.1 (p. 528), 29.5 & 29.7 (p. 529); HW ques. #1 (p. 253). Blog: Post your week 10 blog entry by the beginning of class.
	#18	Wed. 10/27	Agency Law; Small Business, Entrepreneurship & Partnerships	Read: BL chaps. 25 & 26; 1; HW "The 1 Percent: How Lucky They Are" (p.231-233); BB for week 9 Prepare: BL cases 25.2, 25.3 (p. 465); HW ques.1 & 2 (p. 233). Blog: Review week 10 entries, post a comment to another student's entry by the beginning of class.
Week 11	#19	Tues. 11/1	Corporate Formation & Financing; Corporate Governance & Sarbanes Oxley Act.	QUIZ 4 (covering topics from class sessions #15-18) at start of class Read: BL chaps. 27 & 28; HW "Who Rules the Corporation" (p. 582), "The Social Responsibility of Business is to Increase its Profits" (p. 249) and "A Stakeholder Theory of the Modern Corporation" (p. 263); BB for week 10 Prepare: HW case 14.2 "The Good Old Boys at Worldcom" (p. 625). Blog: Post your week 10 blog entry by the beginning of class.
	#20	Thurs. 11/3	LLC's & LLP's; Franchise and Special Forms of Business	Read: BL chaps. 30 & 31; BB for week 10 Prepare: BL cases 30.2 (p. 545), 30.5 and 30.6 (p. 546). Blog: Review week 10 entries, post a comment to another student's entry by the beginning of class.
Week 12	#21	Tues. 11/8	Antitrust Law and Unfair Competition; Consumer Safety and Environmental Protection	Read: BL chaps. 33 & 34; 1; BB for week 11 Prepare: None. Deliverable: None. Blog: Post your week 11 blog entry by the beginning of class.
	#22	Thurs. 11/10	Labor, Worker Protection and Immigration Laws; Equal Opportunity in Employment	Read: BL chaps. 35 & 36; BB for week 11 Prepare: None. Deliverable: None. Blog: Review week 11 entries, post a comment to another student's entry by the beginning

Week #	Class #	Date:	Topics:	Assignments Due:
				of class.
Week 13	#23	Tues. 11/15	Personal Property, Bailment and Insurance;	QUIZ 5 (covering class sessions #19--21) at start of class Read: BL chap. 37; BB for week 12 Prepare: None. Deliverable: None. Blog: Post your week 12 blog entry by the beginning of class.
	#24	Thurs. 11/17	Family Law, Wills and Trusts	Read: BL chap. 39; BB for week 12 Prepare: None. Deliverable: None. Blog: Review week 12 entries, post a comment to another student's entry by the beginning of class.
Week 14	#25	Tues. 11/22	The Siemens Case	QUIZ 6 (covering weeks #22-24) at start of class Read: Siemens case materials in BB for week 14 Prepare: Review Siemens case materials. Blog: No blog this week.
		Thurs. 11/24	THANKSGIVING BREAK	No Classes - Enjoy!
Week 15	#26	Tues. 11/29	Real Property, Landlord-Tenant Law and Land Use Regulation	Read: BL chap. 38; BB for week 13 Prepare: None. Deliverable: None. Blog: Post your week 13 blog entry by the beginning of class.
	#27	Thurs. 12/1	International and World Trade Law	Read: BL chap. 41; HW box "Interns at Foxcomm" (p. 496); BB for week 13 Prepare: HW case 11.5 (p. 493). Deliverable: None. Blog: Review week 13 entries, post a comment to another student's entry by the beginning of class.
Week 16	#28	Tues. 12/6	Final Project Due	Deliverable: Your Final Project Due at Beginning of Class (hardcopy).
	#29	Thurs. 12/8	Looking back; Course Applications	Discussion of Final Project
Week 17			FINALS WEEK	There is NO final for this class.