

COURSE OUTLINE FOR: BLAW 3600 Computers and the Law	Date: January 4, 2002
TAUGHT BY: Business Administration	
TAUGHT TO: <i>Computer Systems Technology</i>	
<i>Program:</i>	
<i>Option:</i>	

Hours/Week		Total Hours:		Term/Level:	Winter A/B
<i>Lecture:</i>	2		53		Jan 2002
<i>Seminar (Lab):</i>	1				
<i>Other:</i>		Total Weeks:	20	Credits:	

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Pre-requisites:

<p>Short Course Description and Goals (from Calendar): This course provides the business student with a basic knowledge of Canadian law including the workings of the legal system, and the law of contracts, torts, sale of goods, consumer protection, secured transactions, creditors' remedies, employment, agency, partnership, companies, real estate, patents and intellectual property including, patent, trade mark and copyright.</p> <p><u>Goals</u> (from Calendar) is to recognize and understand the legal aspects of doing business in Canada, with a particular emphasis on legal issues regarding computers.</p>

Evaluation:	
Midterm Exam 1	20%
Midterm Exam 2	20%
Midterm Exam 3	20%
Final Exam	20%
Seminar presentation & participation	20%
TOTAL	100%
<p>The grade for Seminar participation is based on attendance, case presentations and participation in discussions.</p>	

Text(s) and Equipment:

Required:

1. **Business Law in Canada, R. Yates, 6th edition**
2. **Business Law in Canada Casebook, D. Davis 3rd edition**

Available: Business Law in Canada Study Guide and Workbook, R. Yates

Recommended:

Prior Learning Assessment Method: *(enter N/A if not available)*

Course Record:

Developed by: <i>(Instructor)</i> Catherine Ryan	Date: January 4, 2002
Revised by: <i>(Instructor)</i>	Date:
Approved by: <i>(Associate Dean)</i> <i>Chris Clark</i>	Date: January 2002

Course Learning Outcomes & Sub-Outcomes:

At the end of this course, the student will be able to:

1. To recognize legal issues as they arise;
2. To learn to apply the rules of law to business situations;
3. To be able to communicate effectively with lawyers and regulators, and to have a basic knowledge of the law;
4. To have an understanding of how to design business practices and transactions to avoid legal problems;
5. To have a general understanding of the law as it applies in business situations, with a particular emphasis on legal issues relating to computers.

Course Notes:

Students will study the topics covered in the text, Business Law in Canada, according to the schedule as set out in the course outline attached in Part B.

Each week there will be two lectures of one hour each and a one-hour seminar. Seminars will be used for discussion of the material covered and for student presentations.

Cases in the casebook will be studied as examples of the application of legal principles. Students will present their own analyses of the cases in the seminar hour.

For examination purposes, students are responsible for all material covered in the text, lectures and seminars.

Instructors are available to assist students during the office hours posted at our offices, as well as by appointment. Please feel free to call at any time at the above noted telephone numbers, or to send an e-mail.

Mid-term exams will be held during lecture periods, and designated exam periods, and will be reviewed in seminars. Every effort will be made to follow the attached schedule, however changes may be required due to school events.

Assignment Details

Students are expected to make group presentations of case briefs relevant to topics being studied. Cases will be assigned in seminars for presentation to the class. You should expect to be called on at any time to present your analysis of the assigned materials, without further notice.

Evaluations

Midterm 1	20%
Midterm 2	20%
Midterm 3	20%
Midterm 4 (Final Exam)	20%
Seminar presentations and participation	20%
Total	100%

Course Notes (Policies & Procedures)

- **Assignments:** Late assignments or projects will not be accepted for marking. Assignments must be done on an individual basis unless otherwise specified by the instructor.
- **Attendance:** The attendance policy as outlined in the current BCIT Calendar will be enforced.
- **Course Outline Changes:** The material specified in this course outline may be changed by the instructor. If changes are required, they will be announced in class.
- **Ethics:** BCIT assumes that all students attending the Institute will follow a high standard of ethics. Incidents of cheating or plagiarism may, therefore, result in a grade of zero for the assignment, quiz, test, exam or project for all parties involved and /or expulsion from the course.
- **Illness:** A doctor's note is required for any illness causing you to miss assignments, quizzes, test, projects or exam. At the discretion of the instructor, you may complete the work missed or have the work prorated (i.e. an average is given according to your performance throughout the course)
- **Makeup Tests, Exams or Quizzes:** There will be no makeup tests, exams or quizzes. If you miss a test, exam or quiz, you will receive zero marks. Exceptions may be made for documented medical reasons or extenuating circumstances.
- **Labs:** Lab attendance is mandatory. Lab exercises are due at the end of the lab period.
- **I.D. Required in Examination Centres:** Effective December 2000, in order to write exams, students will be *required* to produce photo-identification at examination centres. Photo I.D. must be placed on the desk before an exam will be issued to the student. The I.D. must remain in view on the desk while writing the exam, for inspection by invigilators. Students should bring a BCIT OneCard or, alternatively, two pieces of identification, one of which must be government photo I.D. such as a driver's license. Please see BCIT Policy #5300, Formal Invigilation Procedures.

Assignment Details:***This schedule is subject to change at the discretion of the instructor:**

Week of	Material to be Covered	Chapter Readings
	<i>For topic content and readings etc for this course, please refer to the "paper" copy in the course outline binder.</i> <i>Material subject to change at the discretion of the instructor.</i>	

BLAW 3600 - Course Outline: Lecture Topics Seminar Cases and Assigned Readings

Fri. Jan. 5th **Introduction to the legal system: litigation, structure of the Canadian court system.**
 Yates: chapter 1

Seminar: Seminars begin the week of January 8th.

Mon. Jan 8th **Introduction to the legal system: continued**
 Yates: chapter 1

Fri. Jan. 12th **The Law of torts: intentional torts**
 Yates: chapter 2 pp. 60-73

Seminar: Discussion of chapter 1
 R v. T.L. CB p. 7 (casebook)
 Lauzier v. Ranger CB p. 13
 Summary of Krusel v. Firth CB p. 12
 Mortil v. International Phasor Telecom Ltd. CB p. 15

Mon. Jan. 15th **Introduction to the law of torts: negligence**
 Yates: chapter 2, pp. 73-82

Fri. Jan. 19th **Law of torts: negligent misstatement and defences to a tort action**
 Yates: chapter 2, pp. 82-end

Seminar: Malette v. Shulman CB p. 21
 M'Alister (or Donoghue) v. Stevenson CB p. 33
 Hill v. Church of Scientology CB p. 25
 Stewart v. Pettie CB p. 36
 Poirier v. Murphy et al. CB p. 59
 Jacobsen v. Nike Canada Ltd. CB p. 39
 Mortimer v. Cameron CB p. 41, p. 49
 Hercules Management Ltd. v. Ernst & Young CB p. 53
 Arndt v. Smith CB p. 48

Mon. Jan. 22nd **Formation of contracts: offer and acceptance**
 Yates: chapter 3, pp. 100-115

Fri. Jan. 26th **Formation of contracts: consideration**
 Yates: chapter 3, pp. 115-end

Seminar: Degoisbriand v. Radford CB p. 76
Central London Property Trust v. High Trees CB p. 79
Gateway Realty v. Arton Holdings CB p. 70
Campbell v. Sooter Studios CB p. 72
Hyde v. Wrench CB p. 74
Dudka v. Smilestone CB p. 71

Mon. Jan. 29th **Formation of Contracts: capacity and legality**

Yates: chapter 4, pp. 131-139

Omit section titled "Infants" through "Infants Voidable Contracts"

Handout Infants Act

Fri. Feb. 2nd **Formation of contracts: Intention and form: the writing requirement**

Yates: chapter 4, pp. 139-end

Omit Statute of Frauds pp. 142-146

Handout Law and Equity Act

Seminar: Re Collins CB p. 80
Cerilli v. Klodt CB p. 81
Hoffer v. Verdone CB p. 84
Boyd v. Newton CB p. 82

Mon. Feb. 5th **EXAM: [Chapters 1, 2, 3, 4]**

Fri. Feb 9th **Factors affecting the contractual relationship: mistake, misrepresentation, undue influence, duress, unconscionability**

Yates: chapter 5, pp. 152-170

Seminar: Marvco Colour Research v. Harris CB p. 86
Tannock v. Bromley CB. p. 93
Sidhu Estate v. Bains, Bristow CB p. 91
Turner Estate v. Bonli Estate CB p. 94
Algonquin College v. Regent Vending CB p. 88

Mon. Feb. 12th **Factors affecting the contractual relationship: privity of contract and assignment**

Yates: chapter 5, pp. 170-177

Fri. Feb. 16th **The end of the contractual relationship: performance, breach, discharge by agreement, frustration**

Yates: chapter 6 pp. 181-198

Seminar: Post-exam review of Exam # 1

Mon. Feb. 19th **Contracts: Remedies for breach of contract**
Yates: chapter 6, pp. 198-end

Fri. Feb. 23rd **Legislative interference in the contract: Sale of Goods Act**
Handout: Sale of Goods Act
Yates: chapter 7, pp. 211-226

Seminar: London Drugs v. Kuehne & Nagel CB p. 96
Impala Construction v. Wade CB p. 99
Lee v. Skalbania CB p. 108
Aurora T.V. & Radio v. Gelco Express CB p. 106
Winnipeg Condominium Corp. v. Bird Construction CB p. 112
Ontex Resources v. Metalore Resources CB p. 101

Mon. Feb. 26th **Priority of creditors: Personal Property as security**
Yates: chapter 8, pp. 246-258
Omit section on Bulk Sales

Fri. Mar. 2nd **Priority of creditors: guarantees, builders' liens, bankruptcy**
Yates: chapter 8, pp. 258-end

Seminar: Glenn v. General Motors Acceptance CB p. 130
In Matter of Babbitt and Paladin Inc. CB p. 141
Manulife Bank of Canada v. Conlin CB p. 133
In the Matter of Bankruptcy of Margaret Rose Antosh CB p. 136
Medler-McKay Holdings v. Teac Canada CB p. 139
Sigurdson v. Hilcrest Service Ltd. CB p. 123
Schryvers and Schryvers v. Richport Ford Sales Ltd. CB p. 127

Mon. Mar. 5th **Class cancelled due to exam week. EXAM # 2 [Chapters 5, 6, 7, 8] – date to be scheduled by CST Department and announced in lecture.**

Fri. Mar. 9th **Class cancelled due to exam week**
Seminar cancelled due to exam week

Mon. Mar. 12th **Lecture cancelled: Spring break**
Fri. Mar. 16th **Lecture cancelled: Spring break**

Seminar cancelled: Spring break

Mon. Mar. 19th **Employment law: master and servant**
Yates: chapter 10, pp. 316-334

Fri. Mar. 23rd **Employment law: collective bargaining**
Yates: chapter 10, pp. 335-end

Seminar: Durand v. Quaker Oats CB p. 151
Werle v. Sask. Energy CB p. 152
Ansari V. B.C. Hydro CB p. 155
Mifsud v. MacMillan Bathurst CB p. 158
Di Vito v. MacDonald Detwiler CB p. 151
Systems Engineering v. Power CB p. 159
Queen v. Cognos CB p. 58

Mon. Mar. 26th **Agency**
Yates: chapter 11, pp. 356-end

Fri. Mar. 30th **Business organizations: sole proprietorship and partnership**
Yates: chapter 12, pp. 382-end

Seminar: Post exam review of Exam # 2
Ocean City Realty v. A & M Holdings CB pg. 164
Systems Engineering v. Power CB p. 159
Victoria & Grey Trust v. Crawford CB p. 170
Olson v. Gullo CB p. 173

Mon. Apr. 2nd **Business organizations: incorporation, separate legal identity, funding**
Yates: chapter 13, pp. 403-415

Fri. Apr. 6th **Business organization: duties of corporate officers, pros and cons of incorporation.**
Yates: chapter 13, pp. 415-end

Seminar: Lockharts Ltd. v. Excalibur Holdings Ltd. CB p. 175
China Software Corp. v. Leimbigler CB p. 178
Lenstra v. Lenstra CB p. 180

Mon. Apr. 9th **EXAM # 3 [Chapters 10, 11, 12, 13]**

Fri. Apr. 13th **No lecture (Good Friday)**

Seminar: Cselko Associates v. Zellers CB p. 186
Institute National v. Andres Wines CB p. 197

Mon. Apr. 16th **No lecture (Easter Monday)**

Fri. Apr. 20th **Intellectual Property: introduction**

Yates: chapter 14 pp. 440-448

Seminar: Post exam review of Exam # 3

Mon. April 23rd **Intellectual Property: copyright**

Yates: chapter 14 pp. 452-457

Fri. April 27th **Intellectual Property: confidential information, industrial design**

Yates: chapter 14 continued

Seminar: Society of Composers and Music Publishers of Canada v. 348803 Alberta Ltd. CB p. 188
697234 Ontario Ltd. v. The Spruce Goose CB p. 199
R. v J.P.M. CB p. 191
Future Shops Ltd. v. A&B Sound Ltd. CB p. 202

Mon. Apr. 30th **Intellectual Property: Internet law issues**

Fri. May 4th **Intellectual Property: trade marks**

Yates: chapter 14 continued

Seminar: Eveready Canada v. Duracell Canada CB p. 204
Lac Minerals Ltd. v. International Corona CB p. 196
Ontex Resources Ltd. v. Metalore Resources Ltd. CB p. 102
Compagnie Generale Etablissements Michelin v. NAATGW CB p. 193
Profekta International Inc. v. Mai CB p. 208

Mon. May 7th **Real Property law**

Yates: chapter 15, pp. 477-497

Fri. May 11th **Real Property law: mortgages**

Yates: chapter 15, pp. 497-end

Seminar: Caluori v. Caluori CB p. 218
Bayshore Trust Co. v. Assam CB p. 225

Mon. May 14th **Open review of the course**

Fri. May 18th **No lecture**

Seminar: Open review of the course

Mon. May 21st **FINAL EXAM WEEK**

Final Exam as per your schedule