

BCIT

British Columbia Institute of Technology

Course Outline Part A

School of: Business Programs
Course: BLAW 3600 Computers and the Law
Taught to: Computer Systems Technology Students

Hours/Week**Total Hours****Term/Level****Lecture: 2****Total: 59****Credits:****Weeks: 20****Seminar (Lab): 1****Other:****Prerequisites****is a Prerequisite for:****Course No.****Course Name****Course No.****Course Name****Course Goals**

To enable the students to recognize and understand the legal aspects of doing business in Canada, with a particular emphasis on legal issues regarding computers.

Course Description

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.

Evaluation

Midterm Exam 1	20%
Midterm Exam 2	20%
Midterm Exam 3	20%
Final Exam	20%
Seminar presentation & participation	<u>20%</u>
TOTAL	100%

The grade for Seminar participation is based on attendance, case presentations and participation in discussions.

FORMAT: Two lectures per week – 1st on Monday; 2nd on Friday (Winter term)
- Spring term lectures to be announced
- followed by
One seminar per week – scheduled as per your timetable

TEXTS: 1. Business Law in Canada (5th edition) by R. Yates
2. Business Law in Canada Casebook (2nd edition) by D. Davis

Available but not required:

Business Law in Canada: Study Guide and Workbook (5th edition) by
R. Yates and R. Yates

COURSE GOAL: to enable the students to recognize and understand the legal aspects of doing business in Canada, with issues relating to computers and the law.

COURSE DESCRIPTION: This course provides the 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, and intellectual property, including patents, trademarks and copyright.

INSTRUCTORS:

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OFFICE HOURS: ** As posted at instructor's office

EVALUATIONS

Midterm 1	20%	
Midterm 2	20%	
Midterm 3	20%	
Final exam	20%	
Seminar presentation and participation		20%

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

Fri. Jan. 7th **Lecture: Introduction to the legal system: litigation, structure of the Canadian court system.**
 Yates: chapter 1 pp. 24-end

Seminar: Seminars begin the week of January 10th.

Mon. Jan 10th **Introduction to the legal system: continued**
 Yates: chapter 1 pp. 1-24

Fri. Jan. 14th **The Law of torts: intentional torts**
 Yates: chapter 2 pp. 60-73

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

Mon. Jan. 17th **Introduction to the law of torts: negligence**
 Yates: chapter 2, pp. 73-82

Fri. Jan. 21st **Law of torts: negligent misstatement and defences**
 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

Mon. Jan. 24th **Formation of contracts: offer and acceptance**
 Yates: chapter 3, pp. 100-115

Fri. Jan. 28th **Formation of contracts: consideration**
 Yates: chapter 3, pp. 115-end

Seminar: Degoiesbriand 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. 30th **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. 4th **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. 7th **EXAM: Chapters 1, 2, 3, 4**

Fri. Feb 11th **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. 14th **Factors affecting the contractual relationship: privity of contract and assignment**

Yates: chapter 5, pp. 170-177

Fri. Feb. 18th **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. 21st **Contracts: Remedies for breach of contract**

Yates: chapter 6, pp. 198-end

Fri. Feb. 25th **Legislative interference in the contract: 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. Skalbana CB p. 108

Sigurdson v. Hilcrest Service Ltd. CB p. 123

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. 28th **Priority of creditors: Personal Property as security**

Yates: chapter 8, pp. 246-258

Omit section on Bulk Sales

Fri. Mar. 3rd **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

Mon. Mar. 6th **EXAM # 2 [Chapters 5, 6, 7, 8]**

Fri. Mar. 10th **Class cancelled due to exam week**

Seminar cancelled due to exam week

Mon. Mar. 13th **Lecture cancelled: Spring break**

Fri. Mar. 17th **Lecture cancelled: Spring break**

Seminar cancelled: Spring break

Mon. Mar. 20th **Employment law: collective bargaining**
Yates: chapter 10, pp. 335-end

Fri. Mar. 24th **Employment law: master and servant**
Yates: chapter 10, pp. 316-334

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

Mon. Mar. 27th **Agency**
Yates: chapter 11, pp. 356-end

Fri. March 31st **Business organizations: incorporation, separate legal identity, funding**
Yates: chapter 13, pp. 403-415

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. 3rd **Business organizations: sole proprietorship and partnership**
Yates: chapter 12, pp. 382-end

Fri. Apr. 7th **Class Cancelled – Open House**

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

Mon. Apr. 10th **Business organization: duties of corporate officers, pros and cons of incorporation.**
Yates: chapter 13, pp. 415-end

Fri. Apr. 14th **EXAM # 3 [Chapters 9, 10, 11, 12]**

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

Mon. Apr. 17th **Intellectual Property: introduction**
Yates: chapter 14 pp. 440-448

Fri. Apr. 21st **No lecture (Good Friday)**

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. 169
R. v J.P.M. CB p. 191
Future Shops Ltd. v. A&B Sound Ltd. CB p. 202

Mon. April 24th **No lecture (Easter Monday)**

Fri. April 28th **Intellectual Property: copyright**
Yates: chapter 14 pp. 452-457

Seminar: Post exam review of Exam # 3

Mon. May 1st **Intellectual Property: confidential information, industrial design**
Yates: chapter 14 continued

Fri. May 5th **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

Mon. May 8th **Real Property law**
Yates: chapter 15, pp. 477-497

Fri. May 12th **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 15th
Fri. May 18th
Seminar:

Open review of the course
No lecture
Open review of the course

Mon. May 22nd

FINAL EXAM WEEK
Final Exam as per your schedule