LEGAL ASPECTS OF THE WINE BUSINESS
FALL TERM 2024

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REQUIRED READING MATERIAL

There is no required text for this course. However, participants will be provided readings from various online sources and will be expected to have reviewed the material for each respective unit. Material for synchronous class sessions and exams will be based, at least in part, on the provided reading material.

COURSE DESCRIPTION

This course will introduce participants to the general concepts and issues relating to the creation and operation of a vineyard and winery. The course will explain general legal concepts, real estate issues, outline business formation and operation concepts, explore contracts and contract provisions, define employment relationships, discuss premises liability, identify governmental agencies and regulation, and describe legal issues and areas specifically related to the operation of vineyards and wineries.

COURSE OBJECTIVES

8.1 Define basic legal concepts affecting the operation of a vineyard, winery and distribution of wine.
8.2 Analyze issues related to real estate acquisitions, ownership, use, and construction.
8.3 Identify the types of contracts and general provisions related to winery and vineyard operation.
8.4 Describe and distinguish various types of business formation.
8.5 Describe and distinguish various types of employment agreements.
8.6 Outline specific federal, state, and local agencies and governing bodies that regulate and assist winery and vineyard operations.
8.7 Interpret and apply liability and site management issues that affect the operation of a winery and vineyard.
8.8 Understand and apply specific knowledge of labeling and marketing of wine and grapes.
8.9 Describe the issues affecting the shipping and distribution of wine.
8.10 Compare and contrast intellectual property areas that may affect the production and distribution of grapes and wine.

GENERAL COURSE GOALS

This course is designed to introduce participants interested in operating and/or owning a vineyard and/or winery to the general legal concepts and issues facing the production of grapes and the production, sale and distribution of wine. The course is general in nature and is intended to introduce participants to basic legal and business concepts and outline the issues that affect the production of grapes and the production, sale, packaging, distribution, and marketing of wine for a winery. Course content will frame the legal concepts and issues and provide Participants with the framework to research specific state laws and regulations that affect a vineyard and winery business.

The course guide for the course is accessible in the “Shared Files” folder for the class. Participants are encouraged to review the course guide for more specific information on units of instruction.

COOPERATIVE NATURE OF COURSE

This course deals with the many disciplines and facets of the vineyard and winery industry. To this end, it is important that we work together in a cooperative manner. While the course format is online, the course is not independent study. Therefore, participants are encouraged to interact with colleagues and your instructor throughout the term of the course. Interaction will be in written form on the course platform and message board and through synchronous sessions. Participants are encouraged to participate in the synchronous sessions scheduled during the term of the course. Participants will have due dates and assignments like you would in a traditional course and you will be encouraged to contribute to class discussions and questions like you would in a face-to-face format. Participants will be encouraged to contribute appropriately and constructively each week to the course.

REMEMBER anything posted here will be viewed by the entire class, so please remember to post appropriately.

COURSE CONTENT

Course content will be accessed through the Homepage on the course welcome page. When you scroll down the Homepage, you will be taken to a module links where you can select the current chapter.
Use of the Previous and Next button on the top of the screen will likely take you to an incorrect page. To return to the previous page after viewing a linked page – simply click on the chapter name/number on the left menu.

ONLINE COURSE INSTRUCTIONS

While the entire syllabus is important and should be understood by all Participants in the course, the following information provides instructions on how to proceed through the course on a weekly schedule. The following information should be followed to assist all Participants to be successful. Therefore, it is recommended that you print this syllabus and read and refer to it often. If you have any questions – please ask your instructor via e-mail immediately.

Important: Sections begin on Monday of the week and end on the following Sunday.

<table>
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<tr>
<th>TENTATIVE COURSE CALENDAR</th>
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<tr>
<td>Week #1: Unit 1: Syllabus Review, Introduction post, and Unit 1—Basic Legal Concepts</td>
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<td>Week #2: Unit 2: Real estate ownership and management</td>
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<td>Week #3: Unit 3: Contracts, Liability and Management</td>
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<td>Week #4: Unit 4: Business formation</td>
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<td>Week #5: Unit 5: Employment relations</td>
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<td>Week #6: Unit 6: Agencies</td>
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Each unit/week you will receive the following information (through “xxxx” tool):

1. Reading list for respective week and unit material.
2. PowerPoint and/or outline of information for unit material.
3. Lecture video on material, if applicable; and
4. Outline of material for synchronous sessions.

READING LIST

While the course does not have an assigned text, each unit will have assigned reading material that is identified in the unit. The reading material will be used to introduce the unit material and will be general in nature. Participants are encouraged and expected to have read the material prior to the synchronous session on a weekly basis. Participants may, but are not required to, seek out additional reading material on the subject matters and bring this information to the synchronous sessions for sharing with the class.

POWERPOINTS AND ONLINE PRESENTATIONS

Each unit will be accompanied by a PowerPoint presentation on the unit material, or a brief set of notes describing the key concepts and issues of the unit, or both. Participants are encouraged to access and study the material for each unit to gain an understanding of the unit material. The material in the PowerPoints and videos will be discussed in the synchronous sessions but will not be the focus of the sessions (i.e., we will not review the PowerPoint slides during our sessions.) Not all units will have both PowerPoint slides and video presentations, and the presentations will be imbedded in the material for your use and review.

INTRODUCTORY MESSAGE BOARD POSTING AND UNIT POSTS

To help us get acquainted with each other we have created a message board where you will post an introduction about yourself. After reading this document you should be able to access the message board area and post your introduction to this board.

Make sure you read through the postings provided each week and reply to the questions/topics asked in the post. Each week you will have an opportunity to read and review reading material, video presentations, notes, and message board postings. After reading the provided material and viewing the provided content (under the XXX tool) you will be encouraged to answer the question(s) about the unit content on a public (to all participants) message board. Your responses to the message board posts and questions should be thought driven, and not merely a regurgitation of the assigned readings and video material. Give some thought to the questions, and based on the materials, provide concise, meaningful responses that are not merely a summary of the text content. Posts in response to fellow participants should address the participant post directly (e.g., use their name in the post) and provide commentary, not just statements of agreement.
The message board will begin XX, 2022, and continue throughout the term of the class. Other than the introductory message board post, all message board posts for each respective unit will be due as follows:

a. Initial posts: Access open on Monday at 7:00 a.m. CST of each respective week and due no later than 11:55 p.m. CST of Thursday of the respective week.

b. Instructor’s reply and feedback: I will reply to your posts and provide feedback no later than Friday at 6:00 p.m. CST of each respective week.

c. Reply posts: Reply posts directed to another Participant when the posts are available but in no event may a reply post be made after 11:55 p.m. CST on Sunday of the respective week in which the post is due.

For example, for a message board assignment in Week 2 (xx, 2021 to xx, 2021):

Participant A may post an initial reply to a message board assignment starting on Monday at 7:00 a.m. CST on XX, and the initial post is due no later than 11:55 p.m. on Thursday, XX. I will post a reply to your initial post with comments and feedback no later than Friday, XX, at 6:00 p.m. CST. Participant A should post a reply to another colleague’s message board post any time after the post appears on the message board, but for the reply post, Participant A should post a reply post no later than Sunday, XX, at 11:55 p.m. CST.

With each message board post you will see title, category/type, due date, detail/description, and link to the message board. With each post please read the detail in each discussion question. When you are ready to answer the question click on the “Go to Message Board” button at the bottom of this window. The message board will be displayed.

You will see my (instructors) original question at the top of this window. At the bottom of my posting will be a reply button. Click on this reply button and complete your posting. When you are finished composing your message – click on the “Post Reply” button at the bottom of the window.

In this course there will be no minimum word count or limitations. Answer each part of each question thoroughly. **You will be rewarded for your effort.** Short or incomplete answers will receive little or no credit. DO NOT MERELY CUT AND PASTE MATERIAL AND INTEND THIS MATERIAL TO BE YOUR POST. Merely cutting and pasting material that relates to the post question is not thinking—it is cutting and pasting. You are allowed to paste relevant material in your response, provided it is properly cited. If you paste material, however, you should elaborate on the material, explain the material, indicate how it is relevant to the post, and provide your personal thoughts and views on the pasted material. Any posts that merely cut and paste material without personal comments and thoughtful additional information will receive a ZERO (-0-) for the respective post. This rule also applies to reply posts.
In keeping with the collaboration element of the course you should make a reply to one other participant on their post each week. Do not just respond with “good post,” “I agree,” or “nice work.” THESE ARE NOT ACCEPTABLE REPLY POSTS AND THEY WILL NOT EARN YOU ANY POINTS. You should make replies that discuss the specific content of the student’s post, ask for clarification, challenge each other’s ideas and thoughts, and answer questions that may be asked, or provide additional information. These reply postings do not need any sources, but they do require thought.

PROJECTS

Each Participant will have the opportunity to research, write, and submit two short/medium length research projects for the class. The research projects will consist of 3-5 pages that will allow Participants to research their local law in a specific subject area and report the findings in writing. The project specifics can be accessed at “XXX” and will include a detailed outline of the assignment expectations and requirements.

ACCESSING PROJECT FEEDBACK

All project feedback will be posted and available within XXX. On the course homepage you will see a link labeled “XXXX” in the Participant tools section. Click on this link to view all grades. Note that feedback will be posted as soon as grading is complete – which is soon but not immediately following submission.

COMMUNICATION/NETIQUETTE AND POSITIVE COURSEROOM ENVIRONMENT

As described elsewhere this course will encourage you to discuss items that Participants may disagree on or find opposes their viewpoints or beliefs. This is fine and should be expected by students. However, in all cases, Participants should write and conduct themselves in a manner that is respectful of all ideas and opinions. You are encouraged to challenge each other on various topics and to voice your opinion. In no cases, however, should any Participant condemn another Participant or the instructor because of his/her views or beliefs as expressed, belittle or use name calling or other negative methods to convey an opinion, or other related behaviors. While the tone of this course is relaxed, conversational, and collegial, we will be addressing major and important (sometimes sensitive) topics. You are expected to voice your own opinions and thoughts in a respectful and courteous manner. This is non-negotiable and any violations of this expectation will not be tolerated. Any Participant who violates this directive will be removed from the class summarily.

BI-WEEKLY ZOOM SESSIONS

The instructor will hold bi-weekly synchronous sessions throughout the term of the class. These sessions will be used to explore the unit material, answer questions from Participants on the material, and allow the instructor to communicate in real time with
Participants for immediate discussion and responses. These sessions will take place XX evenings from XX CST. While these sessions will not take place every week, the frequency of the sessions is designed to allow discussion and exploration of all of the course topics. Participants should have received instructions on how to access the **Zoom sessions prior to the first synchronous session**.

The sessions will take place on the following dates:

Participants are encouraged to participate in the sessions on each scheduled session evening. The focus of the sessions will be the current unit material and any questions participants may have regarding how the material relates to real world experiences and issues. In addition to the synchronous sessions, the instructor will be available by telephone (563-XXX-XXXX) at any time during regular business hours (8:00 a.m. to 4:30 p.m. CST, Monday through Friday) for those who wish to converse personally outside the session. Participants should treat the synchronous sessions like a face-to-face meeting session in a course and should be prepared to participate like all other course sessions.

**TEXAS TECH POLICIES:**

Participants are expected to review and comply with all XX policies which may affect their grades and continued participation in the course.

**OTHER DISCLAIMERS AND POLICIES HERE**

The Americans with Disabilities Act ("ADA") provides protection from illegal discrimination for qualified Participants with disabilities. Participants requesting instructional accommodation due to disability should contact XX at the telephone numbers provided above.

**Disclaimer**

*The foregoing course schedule should be considered as a flexible guideline for the semester. As such, it will be subject to change as the direction and the needs of the class dictate*

**Personal disclaimer**

*The instructor will not answer personal legal questions or offer legal advice regarding individual legal circumstances. The instructor will be available to answer legal questions regarding hypothetical circumstances as they may relate to the subject matter of the course and will be available to address any and all questions relating to the course, the course subject matter and the area of vineyard and winery law.*