

Syllabus

for course at advanced level

Advanced Intellectual Property Law
Avancerad immaterialrätt

15.0 Higher Education
Credits
15.0 ECTS credits

Course code:	JU697M
Valid from:	Autumn 2015
Date of approval:	2015-02-16
Department	Department of Law
Main field:	European Intellectual Property Law
Specialisation:	A1N - Second cycle, has only first-cycle course/s as entry requirements

Decision

Approved by the Education Committee on February the 16th, 2015.

Prerequisites and special admittance requirements

Students must be accepted to the Master of Laws Programme in European Intellectual Property Law (60 ECTS).

Course structure

Examination code	Name	Higher Education Credits
0100	Advanced Intellectual Property Law	15

Course content

This course is the initial course in the Master of Laws Programme in European Intellectual Property Law.

The course covers protection of creative achievements and trade symbols. The topic is characterized by international agreements between countries regarding standards of protection. Since intellectual property law, including regulation of unfair competition, affects the free movement of goods and services within the EU, over time a relatively far-reaching common intellectual property law system has developed within the EU. A series of EU regulations have been adopted to create a unified system concerning geographical quality indications, designs, trade marks and plant rights, among others, as well as a number of directives for harmonisation of national law, including sanctions. In addition, the course will discuss the Uniform Patent System that has recently been adopted, and its wider effects and development.

In the course, students will analyse and solve advanced and complex problems in the area of European intellectual property law. The primary topics are copyright, design law, law on the protection of trade marks and trade symbols (including geographical quality indications, etc) and patents. In addition the student shall obtain a broad understanding of the European and global context for intellectual property law, and also from a political perspective. The substantive focus is on updated case law and current developments in the different sub-areas, including litigation and jurisdiction in cross-border sanctions, as well as building a good overview of the area. The student is trained in the ability to solve problems with combinations of overlapping and transnational intellectual property rights. These problems have become increasingly difficult to address in the light of both Europisation and digitalisation. Special importance is therefore given to instruction in methodology questions, which can be helpful with identifying and refining solutions creatively. Instruction in legal scientific and European intellectual property law methodology as well as legal scientific accuracy occurs

throughout the course. The starting point is in international legislation, specific European legislation in the area of intellectual property law, and European Court of Justice case law in the form of legal guidance and decisions in administrative matters. In addition, the course covers the development in the area, historically and in the future, as well as the influence of research on the interpretation of the European intellectual property law regulatory framework, including competition law connected to intellectual property law, economic law (for example, e-commerce) and private international law.

In the course the student shall work individually and in groups as well as complete advanced legal research in the area of European intellectual property law and adjacent areas of the law.

Learning outcomes

After successful completion of the course, the student is expected to be able to:

- demonstrate knowledge and understanding of international and European intellectual property law with a good overview of the subject's detailed disciplines including choice of law and jurisdiction in a common market, as well as have insight into current research and development activities,
- demonstrate knowledge and be able to apply intellectual property law methodologies or other appropriate methods to intellectual property law issues,
- display the ability to integrate knowledge about intellectual property law and to analyse, assess and manage complex intellectual property law circumstances, questions and situations,
- display the ability to independently identify and formulate intellectual property law questions as well as plan and use appropriate methods to carry out detailed assignments within specified time frames; and
- demonstrate knowledge of the social context of European intellectual property law.

Education

Instruction comprises 10 weeks of full-time studies and consists of lectures, seminars, and group instruction.

Lectures cover the relation between EU and international intellectual property law; research, the social significance, and the development perspective of intellectual property law; and methodology issues. The seminar series develops the substantive and methodological questions together and applies them by having students write and present orally an applied assignment for each of the five seminars. These instruction elements make use of group collaboration and group exercises, as the students' assignments comprise parts of larger thematic coherent questions that are prepared individually and in groups as well as presented jointly and discussed in class. Different groups of students will each cover different sections of the same block of problems in the seminars.

Participation in at least 80 per cent of all seminars and exercises is compulsory. In the event of special circumstances, the head of the course can grant exceptions. In this case, the student shall be responsible for completing an additional assignment.

The language of instruction is English.

Forms of examination

The course's goals are examined through individual written and oral assignments, activities in conjunction with instruction and a written take-home examination.

There are no limits regarding the materials allowed for the written take-home examination.

All course requirements must be met in order to pass the course. Course grades are determined based on a combination of the performance in each of the different elements of the course: take-home examination 80 per cent, oral and written presentations of memoranda assignments 20 per cent. The memoranda assignments are assessed on four items (content/substance, conciseness, method and presentation).

Students who initially fail the examination are given the opportunity to be assessed a second time. Students who fail the course twice from the same examiner have the right to request a different examiner for their next examination. This, however, does not apply if there are particular reasons that a different examiner cannot be appointed.

Students who have received a passing grade are not allowed to be assessed again in order to achieve a higher grade.

The grading system uses a criterion-referenced scale of seven grades with passing grades of A (Excellent), B (Very good), C (Good), D (Satisfactory), or E (Sufficient). Failing grades are Fx (Insufficient) or F (Entirely insufficient).

Grading criteria will be further specified and shall be made available at the latest at the beginning of the course.

Misc

Effective date

These provisions are effective from August the 31, 2015.

Required reading

The reading list is established by the Education Committee. See the course website at www.jurinst.su.se for information on the required reading. The updated reading list will be available at the latest two months before the start of the course.