

## **COURSE SPECIFICATION DOCUMENT**

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| <b>Academic School / Department:</b> | Richmond Business School                              |
| <b>Programme:</b>                    | MA international Business Law                         |
| <b>FHEQ Level:</b>                   | 7   |
| <b>Course Title:</b>                 | Intellectual Property Law                             |
| <b>Course Code:</b>                  | MBL 7401  |
| <b>Course Leader:</b>                | Inma Ramos  |
| <b>Student Engagement Hours:</b>     | 200 (standard 4 credit MA course)                     |
| Lectures:                            | 39  |
| Seminar / Tutorials:                 | 6   |
| Independent / Guided Learning:       | 155   |
| <b>Semester:</b>                     | Fall  |
| <b>Credits:</b>                      | 20 UK CATS credits<br>10 ECTS credits<br>4 US credits |

### **Course Description:**

Intellectual property, especially at international level is a fast-growing area of law largely due to the impact of technology. The widespread use of the internet and other cross-border communications and commerce technologies has led to a comprehensive and complex legislative framework at international level (WTO, WPO, EU). The focus of this course will be based on the analysis of patents, copyrights, trademarks, design rights and the problems associated with the enforcement of intellectual property rights in the international arena.

### **Prerequisites:**

N/A

### **Aims and Objectives:**

- To critically assess the complexities of the different types of intellectual property law and the rationale behind the protection provided by national laws and international agreements.

- To develop an in-depth knowledge of the legislative framework at the international level (WTO, WIPO, EU).
- To assess the new developments in this areas and the adequacy of the current legislative framework
- To evaluate the conflicts arising from the technology developments within the context of international competition .

**Programme Outcomes:**

A1, A2, A4, A5

B1, B2, B3, B5

C1, C2, C4

D1, D2, D3, D5

A detailed list of the programme outcomes is found in the Programme Specification.

This is located at the archive maintained by the Academic Registry and found at:  
<http://www.richmond.ac.uk/admitted-students/programme-and-course-specifications/>

**Learning Outcomes:**

By the end of this course, successful students should be able to:

**Knowledge and Understanding**

- Acquire an in-depth knowledge of the concepts, principles, policies, issues, debates and legal doctrine associated with various areas of intellectual property law.
- Examine the different types of intellectual property establishing in an unequivocal way the intangible business property that they aim to protect singling out those overlapping areas where a critical analysis will be incorporated.
- Critically understand how the substantive law on intellectual property relates to national laws and the need to establish wider applicability in the international arena.
- Develop the ability to evaluate the international conflicts in the area of intellectual property created by the existence of modern technologies and multinational enterprises.
- Assess international intellectual property agreements and their applicability evaluating them critically.
- Critically examine any recommendations for reform within the intellectual property area

### **Cognitive Skills**

- Develop a critical and practical approach to the legal and policy issues relevant to the protection of intellectual property worldwide.
- Engage in argument regarding the filing or otherwise protection required for patents, copyrights, trademarks and designs as part of the regular activity within a variety of businesses.
- Consider aspects of enforcement and infringement of intellectual property rights and its effectivity internationally.
- Take a critical stance as to future developments of the existing regulations and adaptation to new challenges in response to international trade and rapid digital innovations.

### **Subject specific, practical and professional skill**

- Present analysis and discussion maximizing the use of modern communication methods and resources.
- Understand the dilemmas that businesses might face in protecting their IPs either by formal filing or litigation.
- Become familiar with the procedures involved in protecting and/or defending intellectual property.
- Examine critically the applicability of current regulation to forthcoming developments derived mainly from the technology area.

### **General/transferable skills**

- Ability to analyse policy documents and legal proposals and defend or criticise their effectivity orally and in writing.
- Develop capacity to work in a group either as a leader or as part of the team in a time efficient manner to accomplish the task in hand understanding the potential conflicts between profit seeking and corporate social responsibility.
- Become proficient in communicating an array of legal and policy subjects and concepts to a legal and financial/business audience with a varied expertise on the subject.

### **Indicative Content:**

- Principles in patent protection: 'novelty', 'industrial application' and 'non-obviousness'
- Notions in trade mark law: 'distinctiveness'.
- Copyright protection: notions of 'work', 'author' and 'originality'.
- Intellectual property infringement and the tort of passing-off
- The international intellectual property system : TRIPS Agreement, Paris Convention on Trade Marks, Community patent and Trade Mark

### **Assessment:**

This course conforms to the Richmond University Standard Assessment Norms approved at Academic Board (formerly Learning & Teaching Policy Committee) and located at: <http://www.richmond.ac.uk/admitted-students/>

### **Teaching Methodology:**

The course will be taught through lectures, seminars, tutorials, workshops and practical sessions. Guest speakers will complement the course providing a practical approach.

### **Bibliography:**

Frankel, S. Gervat, D.J. (2016) Advanced Introduction to International Intellectual Property (Elgar Advanced Introduction series). Edward Elgar Publishing Ltd.  
Bently L, Sherman B (2014) Intellectual Property Law. Oxford University Press Oxford.  
Cornish, W. Llewelyn D. and Aplin T., (2013) Intellectual Property: Patents, Copyright, Trademarks and Allied Rights  
Waelde C., Brown A., Khena S., Cornwell J. Contemporary Intellectual Property: Law and Policy (2016). Oxford University Press  
Ramalho A (2016) The Competence of the EU in Copyright Lawmaking: A Normative Perspective of EU Powers for Copyright Harmonization.  
Baldwin P (2014) The Copyright Wars: Three Centuries of Trans-Atlantic Battle. Princetown University Press.

See syllabus for complete reading list

### ***Indicative Text(s):***

[Click here to enter text.](#)

### ***Journals***

Journal of Intellectual Property Rights  
Managing Intellectual Property  
Intellectual property And Technology Law Journal

