

Module Title: Intellectual Property
Credit Points: 10 ECTS / 20 UK credits

Overview:

This module provides a detailed overview of the principles regarding the key aspects of intellectual property law: International Copyright, Patents, Design Rights, Trademark and Passing Off. Case law illustrating the application of these principles along with international treaties dealing with intellectual property will be addressed. The module seeks to enhance the student's ability to apply theoretical aspects of the jurisprudence to real life situations through the use of case studies.

Aims (To provide students with):

- the ability to solve complex Intellectual Property questions
- a political, philosophical and technical understanding of the fundamental principles of Intellectual Property Law
- a comprehension of the protection given to various works under Intellectual Property Law including secondary and neighboring rights
- a knowledge of international conventions on patents
- an understanding of the impact of the law of tort on intellectual property disputes

Module Content

- Principles of copyright
 - idea expression dichotomy
 - originality
 - secondary rights
 - ownership, duration
 - infringement and defences, computers
 - the internet, databases and compilations
 - moral rights
 - artist resale right, performer's rights,
 - assignment and transfer
- Trademark
 - international conventions
 - trademark registration
 - absolute and relative grants for the refusal of a mark
 - infringement, limitation and trademark
 - ownership, revocation and invalidity, certification and collective marks
- Patent
 - novelty
 - inventive step
 - non-patent ability
 - ownership, duration
 - registration processes
 - infringement and defences, invalidity and revocation
 - voluntary and compulsory licenses
- Industrial design
 - registration
 - novelty
 - individual character
 - ownership, infringement
 - remedies
 - licenses
 - criminal matters
 - community design right, unregistered designs
- Tortious remedies
 - passing off
 - privacy
 - injurious or malicious falsehood
 - unlawful interference with economic relations

Indicative Reading

- Bainbridge, D., 2008. Intellectual Property 7th ed., Longman.
- Bently, L. & Sherman, B., 2008. Intellectual Property Law 3rd ed., OUP Oxford.
- Clark, R. & Smyth, S., 2009. Intellectual Property in Ireland 3rd ed., Tottel Publishing.
- Cornish, W. & Llewelyn, D., 2007. Intellectual Property: Patents, Copyrights, Trademarks and Allied Rights 6th ed., Sweet & Maxwell.
- Goldstein, P., 2008. Goldstein's International Intellectual Property Law, Cases and Materials, 2D 2nd ed., Foundation Press.
- Goldstein, P., 2001. International Copyright: Principles, Law and Practice, OUP USA.
- Landes, W.M., 2003. The Economic Structure of Intellectual Property Law, Harvard University Press.
- Merges, R.P. & Ginsburg, J.C., 2004. Foundations of Intellectual Property, Foundation Press.
- Pugatch, M. & Perez, M., 2004. The International Political Economy of Intellectual Property Rights, Edward Elgar Publishing Ltd.

Journals:

- American Intellectual Property Law Association Quarterly Journal
- Berkeley Technology Law Journal
- Computer and Telecommunications Law Review
- Copyright World
- Entertainment Law Review
- European Intellectual Property Review
- European Copyright and Design Reports
- European Trade Mark Reports
- Fordham Intellectual Property, Media and Entertainment Law Journal
- Intellectual Property Quarterly
- International Review of Intellectual Property and Competition Law
- Journal of Intellectual Property and practice
- Patent World
- Texas Intellectual Property Journal
- The John Marshall Review of Intellectual Property Law
- The Journal of World Intellectual Property Law
- The Trademark Reporter
- Trademark World
- World trademark Review
- Intellectual Property Law Reports
- Entertainment and Media Law Reports
- European Copyright and Design Reports
- European Patent Office Reports
- European Trademark Reports
- Fleet Street reports
- Reports of Patent Cases

Assessment methods

70% Exam

30% Assignment