

Syllabus

for course at advanced level

Advanced Intellectual Property Law
Avancerad immaterialrätt

15.0 Higher Education
Credits
15.0 ECTS credits

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|--------------------------|---|
| Course code: | JU697M |
| Valid from: | Autumn 2021 |
| Date of approval: | 2015-02-16 |
| Changed: | 2021-06-30 |
| 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 (delegation) on 16 February 2015. Revised by decision of the Education Committee (delegation) on 14 September 2016. Revised by decision of the Education Committee (by delegation) on 20 August 2020. Revised by decision of the Department Board (by delegation) on 30 June 2021.

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 Europeanisation 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

Knowledge and Understanding

Upon completion of the course, students are expected to be able to:

- demonstrate in depth 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 in-depth knowledge and be able to apply intellectual property law methodologies or other appropriate methods to intellectual property law issues even with limited information.

Skills and Abilities

Upon completion of the course, students are expected to be able to:

- demonstrate the in-depth ability to integrate knowledge about intellectual property law and to analyse, assess and manage complex intellectual property law circumstances, questions and situations,
- display the in-depth 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.

Judgement and approach

Upon completion of the course, students are expected to be able to:

- demonstrate an in-depth ability to evaluate and assess knowledge of the impact of European intellectual property law from a societal context.

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.

Participation in at least 80 per cent of all seminars and exercises is mandatory. In the case of a lawful excuse, the course director may grant exemptions. In such a case, the student shall be responsible for completing an additional assignment.

Instruction is given in English.

Forms of examination

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

The language of examination is English.

To pass the course, all of the course's learning outcomes must be met. Course grades are determined based on a combination of the performance in each of the different elements of the course: written examination (in-class examination) 80%, oral and written presentations of memoranda assignments 20%.

A written assignment which is submitted too late can at most receive the grade E (Sufficient), unless the course director has granted an extended deadline in advance due to a lawful reason.

Students who receive a failing grade on a regular examination will have the opportunity to retake the examination.

A student who has failed the same examination twice is entitled to have another examiner appointed, unless there are special reasons to the contrary.

Students who have received a passing grade on an examination may not retake the examination to attain a higher grade.

The final grade in the course is set using the following seven-point scale: A (Excellent), B (Very Good), C (Good), D (Satisfactory) and E (Adequate). Failing grades are Fx (Inadequate) or F (Totally Inadequate).

The grading criteria are specified in the course description and shall be available at the latest by the start of the course.

A student with a certificate of special pedagogical support issued by Stockholm University has the right to alternative/accommodated forms of examination in accordance with the certificate.

Misc

Completed course requirements are valid for two years. This also applies to students who drop the course during the early course withdrawal period.

The course requirements in effect at the time of the student's first registration on the course may be completed within two years. After two years, the course requirements included in the most recently revised syllabus will apply.

Entry into force

These provisions will apply as of 18 January 2021.

Required reading

The course literature will be determined by the head of department. Please refer to the course website and the course description for information about the required reading. The current reading list will be made available at least two months before the course starts.