



Bachelor's courses Faculty of Law

VU University Amsterdam - Student- & Onderwijszaken - Exchange programme Vrije Universiteit - 2018-2019

International Intellectual Property Law

Course code	R_Int.prop.I (200991)
Period	Period 4
Credits	6.0
Language of tuition	English
Faculty	Faculteit der Rechtsgeleerdheid
Coordinator	prof. dr. M.R.F. Senftleben
Examinator	prof. dr. M.R.F. Senftleben
Teaching staff	prof. dr. M.R.F. Senftleben
Teaching method(s)	Lecture
Level	400

Course objective

The course provides an overview of the international legal framework for the protection of intellectual property (IP). Participants will obtain a general understanding of the role of IP protection in international trade, underlying policy considerations and the current debate on imbalances in the international protection system.

Participants will acquire the ability to identify and solve problems arising from the international nature of intellectual property, and the ability to assess the current IP system critically in the light of social, cultural and economic needs in developing and developed countries.

Course content

The course focuses on the principles and minimum standards of protection established in the Berne Convention for the Protection of Literary and Artistic Works, the Paris Convention for the Protection of Industrial Property and, in particular, the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). The following issues will be dealt with in particular:

- patent protection and public health, in particular the issue of access to medicine in developing countries;
- copyright protection and freedom to create, in particular the remix and reuse of protected works in the digital environment and the room for corresponding online platforms, such as YouTube;
- trademark protection of powerful brands, such as enhanced protection for trademarks in the luxury goods industry;
- current topics on the international IP agenda.

International intellectual property registration systems constitute an additional topic of the course. The Madrid System for the International Registration of Marks and the Patent Cooperation Treaty will be discussed.

Form of tuition

The course is based on weekly lectures in which the norms of international intellectual property law, underlying policies and the current debate on the further development of the law will be discussed. In working group sessions, the students will present and discuss selected problems of current international intellectual property law. For this purpose, student presentation groups will be established at the beginning of the course.

Type of assessment

Written exam (50% of final grade).

Presentation (50% of final grade): each participant of this Course will have to give an oral presentation during one of the working group sessions. For this purpose, student presentation groups (4 members) will be established at the beginning of the Course. The presentation topics and related literature will be made available on Canvas.

Course reading

WIPO Intellectual Property Handbook - Policy, Law and Use, 2nd edition, Geneva, 2004, WIPO Publication No. 489(E), ISBN 92-805-1291-7 available at: <http://www.wipo.int/about-ip/en/iprm/>

In addition to this general overview of the international framework of protection, academic articles on specific topics of international IP law will be made available to the students as reading assignments during the course.

Target group

Apart from regular students, the course is also available for:

Students from other universities/faculties

Exchange students

Contractor (students who pay for one course)

Registration procedure

A maximum number of 40 students may participate in this course.

Remarks

CAPACITY

A maximum number of 40 students may participate in this course.

OBJECTIVES

The following course objectives are only available in Dutch:

Eindtermen master Rechtsgeleerdheid

De afgestudeerde master beschikt over een academisch werk- en denkniveau:

heeft diepgaande en specialistische kennis van en inzicht in minimaal één deelgebied van het recht

heeft inzicht in de samenhang tussen verschillende onderdelen van het recht, met inbegrip van het nationale en internationale recht

De afgestudeerde master beschikt over de volgende (juridische) vaardigheden:

Analytische vaardigheden:

de juridische en maatschappelijke aspecten van een vraagstuk in hun onderlinge samenhang beoordelen en daarover kritisch nadenken/oordelen
zich inzicht verschaffen in de problemen die zich bij rechtsvorming op het gekozen deelgebied voordoen en een bijdrage leveren aan oplossing daarvan

een probleem vanuit verschillende deelgebieden op een integratieve manier benaderen

literatuur en juridische bronnen diepgaand analyseren en interpreteren en kritisch beschouwen (waar relevant ook in de Engelse taal, waar relevant ook op nieuwe rechtsgebieden)

rechtsregels afleiden uit concrete gevallen (inductie)

Probleemoplossende vaardigheden:

complexe casus diepgaand analyseren en interpreteren en zelfstandig juridische oplossingen aandragen
complexe juridische problemen onderkennen, analyseren en oplossen

Onderzoeks- en presentatievaardigheden:

individueel een rechtswetenschappelijk onderzoek op academisch niveau voorbereiden en uitvoeren (probleemstelling formuleren en afbakenen, informatie verzamelen, gegevens interpreteren, conclusies trekken, evalueren en aanbevelingen en suggesties doen voor verder onderzoek) met argumenten onderbouwde mening formuleren over een complex juridisch probleem of een nieuwe ontwikkeling
actief deelnemen aan een wetenschappelijk debat op het deelgebied dat het masterprogramma beslaat

The following course objectives of the Masterprogramme of International Business Law

The Master's graduate has thorough knowledge and understanding of the main areas of international business law.

The Master's graduate understands the relationships between the main areas of international business law and recognizes which legal issues are involved and how these influence each other.

The Master's graduate knows who the actors of the international business law environment are and how they interact with each other, while acknowledging legal and cultural differences. The Master's graduate understands the role of governments and the horizontal economic relationships between them, the vertical relationship between them and private business and, finally, the horizontal relationships between private companies. Consequently, the graduate discerns the legal position of various parties and understands how the conduct of these parties can influence legal positions.

The Master's graduate possesses analytical skills to apply acquired knowledge and insights to concrete problems in the area of IBL.

The Master's graduate 'translates' practical problems into legally manageable problems.

The Master's graduate can analyse and assess scholarly literature, case law and legal and policy documents and critically reflect upon them.

The Master's graduate shows evidence of an independent, critical attitude with regard to existing theories and knowledge.

The Master's graduate possesses the necessary knowledge of research methodologies in international law and the necessary research skills to independently prepare and carry out a jurisprudential study of some size. The Master's graduate can critically assess the value of research findings, draw conclusions from them and relate research results to theoretical debates within the domain and adjust them when necessary.

The Master's graduate should be able to analyse complex issues in relation to international business and make useful legal recommendations. A Master's graduate can formulate an independent and well-substantiated opinion on complex legal issues and take a substantiated position within the existing debates on various international business law topics.

The Master's graduate should have the ability to present orally and/or in writing the setup, research methodology, theoretical foundations and findings of their research to both experts and non-experts. The Master's graduate has a good command of English legal terms which are used within international business law.

The Master's graduate has a self-critical attitude that enables them to independently acquire new knowledge and to improve their analytical,

research and communicative skills.