

730-625 Patent Law

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| Level: | Graduate/Postgraduate |
| Dates & Locations: | 2009, This subject commences in the following study period/s: April, - Taught on campus. November, - Taught on campus. |
| Time Commitment: | Contact Hours: 24 - 26 contact hours per subject. Total Time Commitment: The time commitment for this subject depends on the candidates background and experience. |
| Prerequisites: | N.A. |
| Corequisites: | N.A. |
| Recommended Background Knowledge: | None |
| Non Allowed Subjects: | None |
| Core Participation Requirements: | N.A. |
| Coordinator: | Prof Sam Ricketson |
| Subject Overview: | <p>Objectives:</p> <p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand the policy issues involved in the granting or denying of patent protection, and the alternatives to such protection # Understand and be able to apply the principles relating to the grant of a valid patent under Australian law # Understand and be able to apply the principles relating to the infringement of a patent under Australian law # Understand the principles applying to the ownership and exploitation of patents under Australian law # Be broadly familiar with the principal steps by which a patent is applied for and granted under Australian law # Understand and be able to apply the principles relating to the protection of confidential information and trade secrets under Australian law. <p>Syllabus:</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> # History of patent protection # Rationales for and alternatives to patents # Trade secrets protection (breach of confidence) # Brief overview of the patent application procedure # Requirements for patentable subject matter (including innovation patents) # Substantive requirements for patentability (including novelty, inventive step, utility, no secret use etc.) # Section 40 objections relating to specifications: Description, claims, fair basis # Infringement, defences and remedies # Inventorship and ownership # Transfer and exploitation of patent rights # The impact of competition law # Introduction to the international framework of patent protection. |
| Assessment: | Take-home examination (100%) Semester 1: 1–6 July Semester 2: 3–8 February 2010 |

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| Prescribed Texts: | Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Please visit the subject homepage on the Melbourne Law Masters website by following the link at the bottom of this subject entry. |
| Breadth Options: | This subject is not available as a breadth subject. |
| Fees Information: | Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees |
| Generic Skills: | Please see the Subject Objectives for this information. |
| Links to further information: | For the latest information on this subject, please visit: http://www.masters.law.unimelb.edu.au/subject/730625 |