

LAWS70341 Intellectual Property Litigation

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| Credit Points: | 12.50 |
| Level: | 7 (Graduate/Postgraduate) |
| Dates & Locations: | 2010, Parkville This subject commences in the following study period/s: March, Parkville - Taught on campus. |
| Time Commitment: | Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Visit the Melbourne Law Masters website for more information about this subject. |
| Prerequisites: | Visit the Melbourne Law Masters website for more information about this subject. |
| Corequisites: | Visit the Melbourne Law Masters website for more information about this subject. |
| Recommended Background Knowledge: | Visit the Melbourne Law Masters website for more information about this subject. |
| Non Allowed Subjects: | Visit the Melbourne Law Masters website for more information about this subject. |
| Core Participation Requirements: | Visit the Melbourne Law Masters website for more information about this subject. |
| Contact: | For the most up-to-date information about this subject, contact the Melbourne Law Masters Office by email at law-masters@unimelb.edu.au or phone 8344 6190 or alternatively visit the subject website: www.masters.law.unimelb.edu.au |
| Subject Overview: | <p>This subject provides students with a practical understanding of the issues confronting litigators in intellectual property disputes. It will focus on those elements of IP litigation which are different from general commercial litigation and principal topics will include:</p> <ul style="list-style-type: none"> # Overview of IP litigation and jurisdiction # Pre-litigation procedure and strategy # Early litigation procedure # Interlocutory injunctions # Search (Anton Piller) orders # Freezing (Mareva) orders # Other interlocutory orders # Mediation and alternative dispute resolution # Preparing evidence for trial # Conducting a trial # Proving and quantifying damages or accounts of profits # Case management including Federal Court Fast Track List procedure # Appeals # Prosecution for contempt of court orders # Customs seizure # Case studies. |
| Objectives: | <p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand and be able to apply case analysis skills to intellectual property disputes # Be familiar with the litigation and alternative dispute resolution processes for resolving intellectual property disputes # Understand the theoretical framework for strategic and tactical decision making in IP litigation based on a knowledge of the principles underlying each procedural step # Be familiar with some practical examples from cases in which the instructors and guest lecturers have participated # Have improved their practical advocacy skills and procedural knowledge by participating in a moot simulating an interlocutory hearing in an IP case. |

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| Assessment: | Moot oral presentation (10%)Moot written submissions (30%)Take-home examination (60%) (30 April-3 May) |
| Prescribed Texts: | Visit the subject website for more information |
| 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: | Visit the Melbourne Law Masters website for more information about this subject. |
| Links to further information: | http://www.masters.law.unimelb.edu.au/ |