

# LAWS70418 European Intellectual Property Law

<b>Credit Points:</b>	12.50
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2013.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
<b>Prerequisites:</b>	None
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information, contact the Melbourne Law Masters office. Email: <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) Phone: +61 3 8344 6190 Website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	<p>This subject provides an outline of some of the more important or notable features of European intellectual property (IP) regimes and reform proposals, selected either for their unique nature or their comparative relevance to Australian law. The subject will deal with a variety of sources of European IP law, including: European Union (EU) Directives and Regulations on or relating to IP; non-EU IP treaties (such as the European Patent Convention), and domestic IP law in European countries, in particular the United Kingdom, Germany and France.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> <li># An overview of the European IP regime</li> <li># The European patent system under the European Patent Convention and the European unitary patent initiative</li> <li># Key features of European patent law: patentable subject matter (including the impacts of the 1998 EU Biotechnology Directive); claim construction, inventive step and sufficiency/claim support</li> <li># The EU supplementary protection certificate (SPC) system</li> <li># EU laws specifically protecting databases and software, and the ramifications of those protections upon copyright protection generally</li> <li># European legal protections of authors' moral rights</li> <li># European graduated response initiatives directed at internet-based copyright infringement</li> <li># The registered and unregistered European Community designs regimes</li> </ul>

	<ul style="list-style-type: none"> <li># The relationship between European designs and artistic copyright protection</li> <li># European laws extending trade mark protection to mark dilution and unfair advantage</li> <li># Internet-related trade mark infringement in settings such as online marketplaces and search engines</li> <li># Trade mark issues relating to comparative advertising and parallel importation</li> <li># The interface between the European IP regime and European competition/free trade protections, in particular the question of exhaustion of rights within the EU.</li> </ul>
<b>Objectives:</b>	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> <li># Understand the main sources of European intellectual property law;</li> <li># Understand the main issues of importance arising from European intellectual property law;</li> <li># Understand the comparative relevance of European intellectual property law to Australian law;</li> <li># Understand the interface between European intellectual property law and European competition/free trade protections.</li> </ul>
<b>Assessment:</b>	Take home examination (100%) (5–8 April)
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/subject/LAWS70418/2013">http://www.law.unimelb.edu.au/subject/LAWS70418/2013</a>