

LAWS70243 Trade Mark Practice

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	Successful completion of Trade Marks and Unfair Competition (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/10103) or an equivalent subject, or appropriate practical experience
Corequisites:	None
Recommended Background Knowledge:	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.
Non Allowed Subjects:	None
Core Participation Requirements:	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: www.services.unimelb.edu.au/disability/
Contact:	For more information, contact the Melbourne Law Masters office. Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	<p>This subject builds on the material covered in the <i>Trade Marks and Unfair Competition</i> subject. <i>Trade Mark Practice</i> is primarily concerned with the procedures and practices of the Australian Trade Marks Office in obtaining and maintaining a registered trade mark. The subject is thus particularly valuable for students wishing to prosecute trade mark applications through the Australian Trade Marks Office. The rights, privileges and responsibilities of a patent or trade mark attorney are also covered. The lecturer is an experienced trade mark law lecturer and practitioner.</p> <p>The emphasis of this subject is on the documentation and procedures involved and the relevant practice of the Australian Trade Marks Office.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> # The Trade Marks Office, the Trade Marks Register and the <i>Australian Official Journal of Trade Marks</i> # Determining the availability of a trade mark for use and registration, searching the Trade Marks Office database and other search options # Applications for registration, including Madrid Protocol, Convention, divisional and series applications # Examination and acceptance of applications # Opposition to registration # Amendment of applications and other documents

	<ul style="list-style-type: none"> # Obtaining registration and renewal of registration # Obtaining extensions of time # Special procedures relating to collective, certification and defensive trade mark applications # International conventions and initiatives, and protecting trade marks in foreign countries # The rights, privileges and responsibilities of a patent or trade mark attorney.
Learning Outcomes:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand the practices and procedures for obtaining and maintaining the registration of a trade mark under the <i>Trade Marks Act 1995</i> (Cth) # Have the ability to apply for, prosecute and maintain the registration of a trade mark under the <i>Trade Marks Act 1995</i> (Cth) # Have the ability to oppose or defend opposition to the registration of a trade mark # Understand the principles of international registration of trade marks # Understand the rights, privileges and responsibilities of a patent or trade mark attorney.
Assessment:	Take-home examination (100%) (2 – 7 July)
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject.
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
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70243/2014