

## LAWS70242 Internat.Issues in Intellectual Property

<b>Credit Points:</b>	12.5
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2015, Parkville This subject commences in the following study period/s: December, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
<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>Coordinator:</b>	Prof Sam Ricketson
<b>Contact:</b>	For more information: 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>	Over the past two decades, the protection of intellectual property rights (IPRs) globally has become a major issue both for right holders and users, and one that has had profound implications in a number of important areas of public discourse, such as international trade, public health, education and research, national development and the promotion of biodiversity. This subject seeks to engage with all these issues, and begins with a discussion of the sources of international intellectual property (IP) law, including the principal IP treaties and the general architecture of the international IP system. It then considers a number of case studies where particular IP issues arise and where international solutions are presently being negotiated. It will also examine the growing tension between the territoriality of IPRs and the global scope of IP exploitation, considering how this clash plays out in the key area of private international law. Both lecturers have had extensive experience in international intellectual property matters, and

	<p>bring to the subject both academic and practical perspectives that add greatly to its interest and relevance.</p> <p>This subject consists of a survey of the economic, legal and political elements and forces that shape the international IP system.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> <li># Introduction to the international IP system, including the main producers and owners of IP, the institutional architecture and the treaty system, including those administered by the World Intellectual Property Organization and the World Trade Organization (notably the Agreement on Trade-Related Aspects of Intellectual Property Rights)</li> <li># Instruments and strategies for obtaining protection internationally—the Patent Cooperation Treaty, Madrid System, Hague System and regional systems</li> <li># Human rights, IP and the development agenda</li> <li># IPRs and public health</li> <li># IPRs and food security</li> <li># Biotechnology, access to genetic resources and traditional knowledge</li> <li># Access to knowledge</li> <li># The protection of names, marks and other identifiers and content, with particular reference to the internet</li> <li># Dispute settlement and private international law issues.</li> </ul>
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> <li># Have an advanced and integrated understanding of: <ul style="list-style-type: none"> <li># the institutional architecture for the formulation and implementation of intellectual property policy internationally and, to a lesser extent, regionally;</li> <li># the main treaties establishing international intellectual property norms and the dispute settlement machinery for international intellectual property disputes, both private and public; and</li> <li># the issues and trends that are at the centre of current discussions and negotiations for the further development or modification of the international intellectual property system</li> </ul> </li> <li># Be able to critically examine, analyse, interpret and assess the role and effectiveness of these different international regimes</li> <li># Be an engaged participant in debates regarding emerging and contemporary issues in the field, including the impact of trade-related IPRS, human rights perspectives and the general issue of third party access to material protected by IPRs</li> <li># Have a sophisticated appreciation of the factors and processes driving these developments at the international level</li> <li># Have the cognitive and technical skills to generate critical and creative ideas relating to the international protection of IPRs and to critically evaluate existing and emerging theories, principles and concepts in this field</li> <li># Have the communication skills to clearly articulate and convey complex information regarding issues in this field to relevant specialist and non-specialist audiences, including to policy makers at the national and international levels</li> <li># Be able to demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in this field.</li> </ul>
<b>Assessment:</b>	<p>Take-home examination (100%) (27 January - 1 February 2016) or Problem exercise (40%) (27-29 January 2016) and 6,000 word research paper (60%) (24 February) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.</p>
<b>Prescribed Texts:</b>	<p>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.</p>
<b>Breadth Options:</b>	<p>This subject is not available as a breadth subject.</p>
<b>Fees Information:</b>	<p>Subject EFTSL, Level, Discipline &amp; Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a></p>
<b>Links to further information:</b>	<p><a href="http://www.law.unimelb.edu.au/subject/LAWS70242/2015">www.law.unimelb.edu.au/subject/LAWS70242/2015</a></p>
<b>Notes:</b>	<p>This subject has a quota of 30 students. Please refer to the website <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> (<a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">http://</a>)</p>

**[www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format](http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format)** for further information about the management of subject quotas and waitlists.