

LAWS70242 Internat.Issues in Intellectual Property

Credit Points:	12.5						
Level:	7 (Graduate/Postgraduate)						
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: December, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.						
Time Commitment:	Contact Hours: 24-26 hours Total Time Commitment: 136-150 hours 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.						
Prerequisites:	<p>Melbourne Law Masters Students: None</p> <p>JD Students: Successful completion of the below subject:</p> <table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50057 Copyright and Patents</td> <td>Semester 2</td> <td>12.5</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50057 Copyright and Patents	Semester 2	12.5
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LAWS50057 Copyright and Patents	Semester 2	12.5					
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 Student Equity and Disability Support						
Coordinator:	Prof Sam Ricketson						
Contact:	<p>Lecturers</p> <p>Professor Sam Ricketson (http://www.law.unimelb.edu.au/staff/Sam%20Ricketson) (Coordinator)</p> <p>Dr Ian Heath (http://www.law.unimelb.edu.au/staff/Ian%20Heath)</p> <p>Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au)</p> <p>Phone: +61 3 8344 6190</p> <p>Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)</p>						

<p>Subject Overview:</p>	<p>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 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"> # 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) # Instruments and strategies for obtaining protection internationally—the Patent Cooperation Treaty, Madrid System, Hague System and regional systems # Human rights, IP and the development agenda # IPRs and public health # IPRs and food security # Biotechnology, access to genetic resources and traditional knowledge # Access to knowledge # The protection of names, marks and other identifiers and content, with particular reference to the internet # Dispute settlement and private international law issues.
<p>Learning Outcomes:</p>	<p>A student who has successfully completed this subject will:</p> <p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of: <ul style="list-style-type: none"> # the institutional architecture for the formulation and implementation of intellectual property policy internationally and, to a lesser extent, regionally; # the main treaties establishing international intellectual property norms and the dispute settlement machinery for international intellectual property disputes, both private and public; and # 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 # Be able to critically examine, analyse, interpret and assess the role and effectiveness of these different international regimes # 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 # Have a sophisticated appreciation of the factors and processes driving these developments at the international level # 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 # 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 # Be able to demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in this field.
<p>Assessment:</p>	<p>Take-home examination (5,000-6,000 words as specified in the subject reading guide) (100%) (1 - 6 February 2017) or Problem exercise (40%) (1 - 3 February 2017) and 6,000 word</p>

	research paper (60%) (27 February 2017) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.
Prescribed Texts:	Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.
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/LAWS70242/2016
Related Course(s):	Graduate Diploma in Intellectual Property Law Graduate Diploma in International Law Graduate Diploma in Legal Studies Juris Doctor Master of Commercial Law Master of Intellectual Property Law Master of Law and Development Master of Laws Master of Public and International Law