

LAWS70261 Designs Law and Practice

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: November, 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:	None
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:	Lecturers Professor Sam Ricketson (http://www.law.unimelb.edu.au/staff/Sam%20Ricketson) (Coordinator) Mr Ray Hind (http://www.law.unimelb.edu.au/staff/Ray%20Hind) 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:	Design plays a critical role in the production and marketing of goods. Adequate protection of designs is important in order to encourage the creation of innovative products and thus enhance the Australian economy. This subject is primarily concerned with the laws in Australia that protect designs and will cover the registered regimes for protecting designs under the <i>Designs Act 2003</i> (Cth) and parts of the <i>Designs Act 1906</i> (Cth), as well as the protection of designs as original artistic works under the <i>Copyright Act 1968</i> (Cth). The first lecturer is a well-known intellectual property law academic and former barrister, while the second is a senior patent

	<p>attorney with extensive experience in designs law and practice. This subject meets the PSB requirements for 'Topic Group I: Designs Law'.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # Registrable designs: definition of design and registrability requirements # Application and registration procedures and Designs Office practice # Duration of registration and removal procedures # Registration, examination, certification and infringement # Defences to, and remedies for, infringement # Validity and infringement of designs registered under the <i>Designs Act 1906</i> (Cth) # Ownership, transfer and exploitation of design rights # Rectification and correction of the Register # Artistic works protected by copyright and the designs/copyright overlap # Relationship of designs protection to innovation patents under the <i>Patents Act 1990</i> # International conventions and the protection of designs.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of the principles of Australian law relating to the protection of industrial designs, both under the registered designs system and the law of artistic copyright, including issues of practice and recent developments in this field of law # Be able to critically examine, analyse, interpret and assess the effectiveness of these legal rules # Be an engaged participant in debate regarding emerging and contemporary issues in the field, including issues of registrability, the scope of registered design protection, and the designs-copyright overlap # Have a sophisticated appreciation of the factors and processes driving governmental and parliamentary revision of the legal framework in this field # Have a sound understanding of situations in which issues of the legal protection of industrial designs arise in the context of dealings with clients # Have an appreciation of the complexity of the legal regimes relating to the protection of industrial designs in an international and comparative context # Have the cognitive and technical skills to generate critical and creative ideas relating to the protection of the industrial designs of clients and to critically evaluate existing legal principles and practice issues in an independent and creative fashion # Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues relating to designs law and practice # Have the communication skills to clearly articulate and convey complex information regarding the protection of industrial designs to relevant specialist and non-specialist audiences, including clients # Be able demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of industrial designs law and practice.
Assessment:	Take-home examination (5,000-6,000 words as specified in the subject reading guide) (100%) (18 - 23 January 2017) 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/LAWS70261/2016
Related Course(s):	<p>Graduate Diploma in Intellectual Property Law Graduate Diploma in Legal Studies Master of Commercial Law Master of Intellectual Property Law Master of Laws</p>