

LAWS70362 Information Technology Contracting Law

Credit Points:	12.5																											
Level:	7 (Graduate/Postgraduate)																											
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: October, 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 all the below subjects:</p> <table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50028 Constitutional Law</td> <td>Semester 2</td> <td>12.5</td> </tr> <tr> <td>LAWS50029 Contracts</td> <td>Semester 2</td> <td>12.5</td> </tr> <tr> <td>LAWS50027 Dispute Resolution</td> <td>Semester 1</td> <td>12.5</td> </tr> <tr> <td>LAWS50023 Legal Method and Reasoning</td> <td>February</td> <td>12.5</td> </tr> <tr> <td>LAWS50031 Legal Theory</td> <td>Semester 2</td> <td>12.5</td> </tr> <tr> <td>LAWS50026 Obligations</td> <td>Semester 1</td> <td>12.5</td> </tr> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.5</td> </tr> <tr> <td>LAWS50025 Torts</td> <td>November, Semester 2</td> <td>12.5</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50028 Constitutional Law	Semester 2	12.5	LAWS50029 Contracts	Semester 2	12.5	LAWS50027 Dispute Resolution	Semester 1	12.5	LAWS50023 Legal Method and Reasoning	February	12.5	LAWS50031 Legal Theory	Semester 2	12.5	LAWS50026 Obligations	Semester 1	12.5	LAWS50024 Principles of Public Law	Semester 1	12.5	LAWS50025 Torts	November, Semester 2	12.5
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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:	Mr Jonathan Gill
Contact:	<p>Lecturers</p> <p>Mr Jonathan Gill (http://www.law.unimelb.edu.au/staff/Jonathan%20Gill) (Coordinator) Mr Michael Carrick (http://www.law.unimelb.edu.au/staff/Michael%20Carrick)</p> <p>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)</p>
Subject Overview:	<p>Information technology is critical to almost all modern organisations and processes. The development, acquisition and use of such technology raises a myriad of complex legal issues extending beyond conventional contractual issues and includes ownership rights, rights of use and risk management. This subject explores those issues with a particular emphasis on contracting and intellectual property issues associated with the development and sourcing of information technology products and services. Both lecturers are information technology lawyers with extensive practical experience acting for both providers and purchasers of such products and services.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # Overview of information technology and the Australian information technology development industry # Roles and relationships of the various parties to information technology agreements # Copyright protection afforded to technology products and services, including online products and services # Open source licensing arrangements # Patent protection afforded information technology products and services # Employees and contractor rights and obligations in the context of the creation and development of information technology # Software creation, development and exploitation # Hardware supply arrangements # Network management, security and maintenance # Website development, maintenance and liability # Database and content management issues # Risk allocation and management of information technology contracts (including insurance and escrow arrangements).
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 legal principles related to the contracting for the development and exploitation of information technology products and services, (including recent developments in this field of law and practice) (“those Legal Principles”) # Be able to critically examine, analyse, interpret and assess the effectiveness of those Legal Principles # Be an engaged participant in debate regarding the contractual, copyright and other legal issues that arise in relation to the development and exploitation of information technology products and services # Have a sophisticated appreciation of the issues that arise in relation to the development and exploitation of information technology products and services # Have an advanced understanding of relationship between the legal issues that arise and the commercial environment in which information technology products and services are developed and exploited # Have a detailed understanding of the law and its impact on the development of information technology products and services # Have the cognitive and technical skills to generate critical and creative ideas relating to information technology contracting law and to critically evaluate existing legal principles and concepts with creativity and autonomy

	<ul style="list-style-type: none"> # Have the communication skills to clearly articulate and convey complex information regarding to information technology contracting law to relevant specialist and non-specialist audiences # Be able demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of information technology contracting law.
Assessment:	Class participation (10%) Take-home examination (5,000-6,000 words as specified in the subject reading guide) (90%) (25 - 28 November)or 8,000 word research paper (90%) (11 January 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/LAWS70362/2016
Related Course(s):	<ul style="list-style-type: none"> Graduate Diploma in Communications Law Graduate Diploma in Construction Law Graduate Diploma in Intellectual Property Law Graduate Diploma in Legal Studies Juris Doctor Master of Commercial Law Master of Construction Law Master of Intellectual Property Law Master of Laws Master of Public and International Law