

## MODULE SPECIFICATION

1. **Title of the module**  
Intellectual Property Law (elective module)
2. **School or partner institution which will be responsible for management of the module**  
Pearson College London
3. **The level of the module**  
Level 5
4. **The number of credits and the ECTS value which the module represents**  
15 credits (7.5 ECTS)
5. **Which term(s) the module is to be taught in (or other teaching pattern)**  
The module will always be taught in the second term of a student's studies at level 5 (stage 2) (whether or not they start in September or January).
6. **Prerequisite and co-requisite modules**  
Prerequisites: none  
Co-requisites: none
7. **The programmes of study to which the module contributes**  
Certificate of Higher Education  
  
Diploma of Higher Education  
  
LLB (Honours)  
  
LLB Law with Accountancy  
  
LLB Law with Business Management  
  
MLaw Legal Professional Practice (Exempting)
8. **The intended subject specific learning outcomes**  
On successful completion of the module, students should be able to demonstrate:

### **Subject Specific Knowledge and Skills**

1. A knowledge and critical understanding of the evolving rules, principles and procedures within this area of the law, including the identification of intellectual property rights and their nature and classification; and the key principles of the law relating to the subsistence and infringement of trademarks, copyright and confidential information.
2. An ability to apply underlying concepts, principles, rules and procedures within Intellectual Property Law to complex practical legal problems of the kind they might encounter in practice.

## MODULE SPECIFICATION

3. An ability to devise and sustain arguments based on appropriate and reflective use of the main modes of enquiry found in this area, and critically analyse the information thereby obtained, with a view to proposing informed and reasoned solutions accordingly.
4. An ability to use their developing knowledge in this area to perform the procedural tasks necessary to advance a client's goals.
5. An ability to identify the client's goals and the different means by which those goals could potentially be accomplished, with sensitivity and empathy towards their client's needs.

### General Transferable Skills

1. An ability to investigate and identify the relevant facts, research and identify the corresponding legal issues, and advise the client accordingly.
2. An ability to deal sensitively and empathetically with clients, and to recognise any ethical issues which may arise and deal with them appropriately within the Code of Conduct.

### 9. A synopsis of the curriculum

The module is designed to enable students to develop the skills and knowledge of intellectual property law necessary to practice in this area by requiring them to advise on issues and undertake tasks which would be expected of a trainee solicitor in an IP Law seat.

### Outline Syllabus

In the course of studying this module, students will cover the following areas:

- 1 **Introduction to intellectual property law** – The nature and purpose of intellectual property rights (“IPRs”). Introduction to the range and classification of IPRs. The economic and commercial importance of IPRs within a business.
- 2 **Trade Marks (1)** – What is a trade mark? Registration of trade marks. Absolute grounds for refusal.
- 3 **Trade Marks (2)** – Relative grounds for refusal.
- 4 **Trade Marks (3)** – Infringement, defences and remedies.
- 5 **Unregistered trade marks** – The law of passing off.
- 6 **Branding, trade marks and passing off** – Practical points for the modern business.
- 7 **Copyright (1)** – What is copyright? Subsistence, originality and ownership.

## MODULE SPECIFICATION

- 8 **Copyright (2)** – Infringement, defences and remedies.
- 9 **Copyright (3)** – The place of copyright within a modern business.
- 10 **Breach of confidence** – The developing law on confidential information. The use of non-disclosure agreements.

Key Skills include:

- Drafting
- Communication and Literacy
- Practical legal research
- File management
- Negotiation
- Numeracy
- Teamwork
- Managing and Developing Self
- Managing tasks and solving problems
- Computing and IT Skills

### 10. Reading List (Indicative list, current at time of publication. Reading lists will be published annually)

All textbooks and practitioner materials will be updated annually. Textbooks will be held in the latest edition and older editions will be withdrawn.

	<ul style="list-style-type: none"> <li>• <b>Title, author, publisher</b></li> </ul>
<b>Core Text</b>	<ul style="list-style-type: none"> <li>• Bainbridge, D. Intellectual property, Bainbridge, D, Pearson</li> </ul>
<b>Essential Reading</b>	<ul style="list-style-type: none"> <li>• Copinger &amp; Skone James on Copyright [online] Westlaw</li> <li>• CIPA Guide to the Patents Act [online] Westlaw</li> <li>• Kerly's Law of Trade Marks and Trade Names [online] Westlaw</li> <li>• Terrell on the Law of Patents [online] Westlaw</li> </ul>
<b>Recommended Reading</b>	<ul style="list-style-type: none"> <li>• Intellectual property; patents, copyright, trademarks and allied rights, Cornish, W, Llewelyn, D and Aplin, T, Sweet and Maxwell</li> <li>• Dinwoodie, G. Methods and perspectives in intellectual property, ATRIP Intellectual Property Series</li> </ul>

### 11. Learning and Teaching Methods, including the nature and number of contact hours and the total study hours which will be expected of students, and how these relate to achievement of the intended module learning outcomes

Learning and teaching takes place through four key activities. These provide a blend of technical skills training, guided tasks assisting in self-directed research and study, practical application in an IP law context and consolidation. Conceptually, the aim of the learning and teaching method is to mirror as closely as possible a trainee's experience in the IP department of a law firm.

## MODULE SPECIFICATION

### Part A – Technical skills training

The trainee is briefed in detail on the relevant legal area (this can take a variety of forms, including, for example: webinars; live and / or recorded lectures; and conference calls).

### Part B – Self-directed research/Guided tasks

The supervising partner will guide the trainee via memoranda, e-mails and/or recorded voicemails into the relevant areas that need to be researched.

This may include reading articles, practitioner texts, preparing checklists, drafting documentation for the clients to be explained to the client, providing advice on various aspects of the transaction and answering client/supervisor questions etc.

### Part C – Seminar

The trainee will present their findings to the client and/or client partner/supervisor. New issues may arise from the presentation and / or further client information to change the dynamics of advice etc.

### Section D – Consolidation

This may be in the form of independent reflection / online student discussion forum / associated tutor dialogue (e.g. via email) as students absorb the issues raised in the briefings and seminars through the consolidation process.

Activity	Notional Hours of Study
Technical skills training	10
Self-directed research / guided tasks	100 (including preparation for assessments)
Seminars	20
Consolidation	20
Total	150

## 12. Assessment methods and how these relate to testing achievement of the intended module learning outcomes

This module will be assessed by a supervised assessment of three hours' duration, split into two parts:

Part A - an examination in which students will be required to address a practical realistic intellectual property scenario utilising the knowledge and skills developed on the module (2 hours) (70%);

Part B – objective testing (1 hour) (30%).

The pass mark for the module is 50%. Students will be required to attempt both parts of this assessment. Since the learning outcomes tested by each part overlap (see further detail below) an overall pass of 50% will be sufficient to pass the assessment.

### Rationale

This methodology reflects two key objectives: firstly, and most importantly, to assess that the learning outcomes set out above have been achieved by the students in a way which complies with

## MODULE SPECIFICATION

the Legal Practice Course Assessment Regulations. Secondly, to align our assessment regime with that proposed by the Solicitors Regulation Authority for the new Solicitors Qualifying Exam.

The proposed assessment methodology, combining a practically-focused examination with objective testing we feel achieves both of these goals.

### 13. *Map of Module Learning Outcomes to Learning and Teaching Methods and methods of Assessment*

Module learning outcome		SS1	SS2	SS3	SS4	SS5	GTS1	GTS2
Learning/teaching method	Hours allocated							
Technical skills training	10	X			X			
Private study	100	X	X	X	X	X	X	
Seminar	20	X	X	X	X	X	X	X
Consolidation	20	X			X			
Assessment method								
Part A Examination		X	X	X	X	X	X	X
Part B Objective testing		X	X					

14. The Collaborative Partner recognises and has embedded the expectations of current disability equality legislation, and supports students with a declared disability or special educational need in its teaching. Within this module we will make reasonable adjustments wherever necessary, including additional or substitute materials, teaching modes or assessment methods for students who have declared and discussed their learning support needs. Arrangements for students with declared disabilities will be made on an individual basis, in consultation with the Collaborative Partner's disability/dyslexia student support service, and specialist support will be provided where needed.

#### 1. Centre where module will be delivered:

Pearson College London

## MODULE SPECIFICATION

**If the module is part of a programme in a Partner College or Validated Institution, please complete sections 17 and 18. If the module is not part of a programme in a Partner College or Validated Institution these sections can be deleted.**

**2. Partner College/Validated Institution:**

Pearson Business School, part of Pearson College

**3. University School responsible for the programme:**

Kent Law School

**FACULTIES SUPPORT OFFICE USE ONLY**

**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

Date approved	Major/minor revision	Start date of the delivery of revised version	Section revised	Impacts PLOs (Q6&7 cover sheet)