

MODULE SPECIFICATION

1. Title of the module

Intellectual Property Law

2. School or partner institution which will be responsible for management of the module

Pearson College London

3. The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)

Level 6

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)

This module can be run in any term: Autumn, Spring, or Summer

6. Prerequisite and co-requisite modules

None

7. The programmes of study to which the module contributes

- | | |
|--|-------------------|
| ● BA (Hons) Business Management | - optional module |
| ● BA (Hons) Business Management with Finance | - optional module |
| ● BA (Hons) Business Management with Global Industries | - optional module |
| ● BA (Hons) Business Management with Law | - core module |
| ● BA (Hons) Business Management with Marketing | - optional module |

8. The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

- 8.1 Demonstrate a systematic knowledge and understanding of how IP law rules affect business decisions and transactions, and be aware of specific legal areas relating to organisations.
- 8.2 Identify intellectual property rights and explain their nature and classification.
- 8.3 Explain in detail the key principles of the law relating to the subsistence and infringement of trade marks, copyright and confidential information and apply those principles to realistic commercial scenarios.
- 8.4 Critically evaluate the commercial and economic importance of intellectual property rights.
- 8.5 Demonstrate a detailed knowledge and systematic understanding of key areas within IP law.
- 8.6 Demonstrate an informed view of future developments in this area of law.

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9. The intended generic learning outcomes

On successfully completing the module students will be able to:

- 9.1 Read, digest and summarise complex legal materials and state legal principles accurately and succinctly.
- 9.2 Work from a variety of primary and secondary sources and assimilate the data reviewed to arrive at appropriate conclusions in relation to principles of law and their application.
- 9.3 Accurately deploy established techniques of analysis and enquiry within the discipline.

10. A synopsis of the curriculum

Module Aims

The aim of this module is to equip students with a broad understanding of the range and nature of intellectual property rights and a deeper understanding of those IPRs which are of the widest application within business generally: trademarks (both registered and unregistered), copyright and confidential information. The module will be taught from the point of view of a business which needs to protect its own intellectual property, while at the same time ensuring that it does not inadvertently infringe the rights of others.

The module will have a business focus with specific sessions designed to step back from examining detailed rules in order to draw out the commercial and practical implications of the law for everyday business decisions.

The focus will be on the law of England and Wales, although reference will be made to the key international treaties. Other jurisdictional variants of this module may be produced in the future.

Students will also certainly develop key skills, including those of negotiation, drafting and oral presentation.

Overview of 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 trademark? Registration of trademarks. Absolute grounds for refusal.
- 3 **Trademarks (2)** – Relative grounds for refusal.
- 4 **Trademarks (3)** – Infringement, defences and remedies.
- 5 **Unregistered trademarks** – The law of passing off.
- 6 **Branding, trademarks and passing off** – Practical points for the modern business.
- 7 **Copyright (1)** – What is copyright? Subsistence, originality and ownership.
- 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.

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

- Bainbridge, D, (2012) Intellectual Property, 9th Edition, Pearson
- C. Waelde, G. Laurie, A. Brown, S. Kheria, J. Cornwell (2013) Contemporary Intellectual Property: Law and Policy, 3rd Edition Oxford University Press
- Cornish, W., D. Llewelyn and T. Aplin (2013) Intellectual property: patents, copyright, trademarks and allied rights, 8th Edition, Sweet & Maxwell
- Aplin, T and Davis, J (2013) Intellectual Property Law: Text, Cases and Materials, 2nd Edition Oxford University Press
- Desai, D., Lianos, I. and Waller, S W., (2015) Brands, Competition Law and IP, Cambridge University Press
- Smith, S (2015) Intellectual Property Revolution: Successfully manage your IP assets, protect your brand and add value to your business in the digital economy, Rethink Press Limited
- Bainbridge, D and Howell, C (2014) Law Express: Intellectual Property Law, 4th Edition, Pearson
- Press, T (2015) Intellectual Property Law Concentrate, 2nd Edition, OUP

Extensive reference will be made to case law and statute law available through the Online Learning Environment and from www.legislation.gov.uk. Students will also use material available from websites of governmental bodies (e.g. UK Intellectual Property Office, DBIS) and on-line journals such as *European Intellectual Property Review*.

12. Learning and Teaching methods

For full details please see the teaching and learning strategy in the programme specification. Students can study this module in the interactive classes model or the mentored independent model. Those on the former will typically experience one lecture and one seminar each week.

Scheduled Hours:	25
Independent Study Hours:	125
Total Study Hours:	150

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13. Assessment methods.

13.1 Main assessment methods

The module will be assessed as follows:

1. 3,500 word coursework assignment (75% of the overall grade).
2. 15 minute client briefing exercise (25% of overall grade).

A pass must be achieved in the coursework element of the assessment in order to pass the module.

13.2 Reassessment methods

14. Map of Module Learning Outcomes (sections 8 & 9) to Learning and Teaching Methods (section 12) and methods of Assessment (section 13)

Module learning outcome		8.1	8.2	8.3	8.4	8.5	8.6	9.1	9.2	9.3
Learning/teaching method	Hours allocated									
Private Study	115							X		
Lectures	10	X	X	X	X	X	X			
Seminars	15	X	X	X	X	X		X	X	X
Assessment method										
Coursework (3,500 words)		X	X	X	X	X	X	X	X	X
In class briefing exercise (15 mins)						X	X		X	

15. Inclusive module design

The Collaborative Partner recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/ declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

- a) Accessible resources and curriculum
- b) Learning, teaching and assessment methods

MODULE SPECIFICATION

16. Campus(es) or Centre(s) where module will be delivered:

Pearson College London

17. Internationalisation

International aspects of IP law are regularly incorporated within various topics covered in the module, e.g. domestic and international registration of IP.

If the module is part of a programme in a Partner College or Validated Institution, please complete sections 18 and 19. If the module is not part of a programme in a Partner College or Validated Institution these sections can be deleted.

18. Partner College/Validated Institution:

Pearson College London

19. University School responsible for the programme:

Kent Business School

MODULE SPECIFICATION

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)