bdroi1261

2023

Intellectual Property Law

4.00 credits	30.0 h	Q2

Teacher(s)	Strowel Alain ;
Language :	French
Place of the course	Bruxelles Saint-Louis
Prerequisites	*The prerequisite(s) for this Teaching Unit (Unité d'enseignement – UE) for the programmes/courses that offer this Teaching Unit are specified at the end of this sheet.*
Learning outcomes	**At the end of this learning unit, the student is able to :** The first aim of the course is to initiate the students to the reasoning method specific to intellectual property law (under Belgian and European law). By the end of the course, the student should (i) know the main components of the studied protection systems (subject matter, conditions, scope (prerogatives and exceptions), duration, etc.), (ii) be able to find the applicable texts and jurisprudences (learning to handle legislative texts and to put jurisprudential texts to good use) and (iii) analyse a concrete situation (how to best protect this or that creation?). Beyond teaching technical notions, the course aims to highlight some general issues encountered in intellectual property law as well as the stakes and the policy-oriented aspects (relation between intellectual property law and freedom of expression, challenges posed by internet, etc.).
Evaluation methods	The assessment is a written exam. The questions might require to comment a court decision discussed during the course (and included in the collection of materials for the students). Other questions aim at checking the ability of the students to understand and apply the notions and to think in the logic of the intellectual property system. During the examination, the students have at their disposal the casebook and legislative texts (but not the other materials, such as the reference book and the powerpoint presentations).
Teaching methods	The course aims to provide the students with an introduction to the system of intellectual property and the main intellectual property rights. It is also of importance to understand and master the mode of reasoning within this branch of the law. The book which completes the oral presentations and helps the student to understand the course is : S. DUSOLLIER ET A. DE FRANCQUEN, Manuel de droits intellectuels, Anthemis, 2015. Preliminary readings are required for most sessions. For each session, the agenda handed out to students at the beginning of the course includes some readings and case law. The lecture is based on many examples, including some out of the news. Practical questions, sometimes based on real cases before the courts, are put to the students in order to keep the course interactive. Substantive issues (e.g. how to combine freedom of expression and protection of creations) will also be discussed during the sessions devoted to special issues. A collection of relevant sources (mainly court decisions) is available at the service Reprographie (those documents are also online on Moodle). The detailed powerpoint presentations are made available on Moodle.
Content	After an introductory part that (i) explains substantive issues (terminology, economic and historic justification), (ii) proposes an overview of the sources of the main intellectual property rights and (iii) analyses the links between these and other fields of law (competition law for instance), the four main parts of the course are devoted to the systematic study of copyright, the rights on distinctive signs (trademarks and trade names), patent and design law. We will also approach specific issues (for instance the relation between community law of free movement of goods and intellectual property rights), and current issues.
Bibliography	Le livre de référence : S. DUSOLLIER ET A. DE FRANCQUEN, Manuel de droits intellectuels, Anthemis, 2015. Pour les textes législatifs : Code de la propriété intellectuelle, 2017, édité par A. Strowel et C. Thiry, collection Codes en poche chez Bruylant-Larcier.
Faculty or entity in charge	DRTB

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Bachelor in Law (shift schedule)	DRDB1BA	4	BDROI1218A	🔍
Bachelor in Law	DROB1BA	4	BDROI1218	🔍