




| | |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Teacher(s) | Desaunettes Luc (compensates Strowel Alain) ;Strowel Alain ; |
| Language : | English |
| Place of the course | Bruxelles Saint-Louis |
| Prerequisites | <i>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.</i> |
| Learning outcomes | <p>At the end of this learning unit, the student is able to :</p> <p>The course has two main objectives:</p> <ul style="list-style-type: none"> - to initiate students to the reasoning method specific to intellectual property law. By the end of the course, the student should (i) know the main components of the studied protection systems (subject matter, conditions, effects, prerogatives and exceptions, duration, etc.), (ii) be able to identify the applicable texts and jurisprudences (learning to manipulate legislative texts and put jurisprudential texts to good use) and (iii) analyse a concrete situation (how to best protect this or that creation?). - to highlight some general issues encountered in intellectual property law (enforcement) as well as questions of public interest (relation between intellectual property law and freedom of expression, challenges posed by the internet, etc.). |
| Evaluation methods | <p>Assessment is based on a written examination consisting of two parts:</p> <p>Part [A]: a multiple-choices questionnaire to assess the student's knowledge of the main elements of the protection schemes studied. (10 points out of 20).</p> <p>Part [B]: (partially) open-book questions (students may consult the collection of texts and case law provided to them), designed to assess the student's ability to analyse a practical situation or to test their ability to develop critical reasoning (10 points out of 20).</p> <p>On a voluntary basis, students can work in groups (max 5 people) to write a blog post for the Stud'IP blog. This group work, depending on its quality, can give participants up to 3 bonus points on their final mark.</p> |
| Teaching methods | <p>Preparation</p> <p>For each class session, students are asked to do some pre-reading of decisions, prepare debates and/or exercises, which are announced via Moodle. These enable students to:</p> <ul style="list-style-type: none"> • prepare for the lecture (particularly linguistically) • develop a critical sense of the issues to be addressed. <p>Students will also be informed of the pages of the basic textbook that they can consult in preparation for the course. Students will have the opportunity to contribute to a blog by writing a blog post on a topical issue relating to intellectual property, which will be included in their final assessment (see assessment method).</p> <p>Courses</p> <p>The lecture is based on a number of decisions and current examples and seeks to encourage interactivity with the students. Students are invited to participate either on critical aspects, or through exercises and debates.</p> <p>Course materials</p> <p>Various materials are prepared for the students:</p> <ol style="list-style-type: none"> 1. a collection of decisions 2. a collection of legislative texts 3. ppt presentations for each course. <p>Both the decision book and the legislative textbook are available in hard copy from the Bureau des Supports de Cours (BSC). They may be used for the "open questions" part of the exam.</p> <p>The ppt presentations will be posted on Moodle at the end of the sessions.</p> <p>The source book for the course is: Dack, S., Kooij, P. A. C. E. van der, Visser, D. J. G., & Vrendenbarg, C. J. S. (2019). EU IP LAW. A short introduction to European intellectual property law. This book is available in open access at the following address. Please note: intellectual property is a constantly evolving subject and for some concepts, the book is already out of date. It is therefore necessary to supplement its developments with the course.</p> <p>Students are invited to delve deeper into the subject by consulting :</p> <ul style="list-style-type: none"> • L. Bently and B. Sherman, Intellectual Property Law, Oxford UP, 6th ed. 2022. • W. Cornish, D. Llewelyn & T. Aplin, Intellectual Property: Patents, Copyrights, Trademarks and Allied Rights, Sweet & Maxwell, 10th ed, 2023 • A. Kur and Th. Dreier, European Intellectual Property Law, Text, Cases and Materials, Edward Elgar, 2019. |

| | |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Content</p> | <p>General</p> <p>Intellectual property (IP) is an area of law that has long been framed by supra-national rules. This course thus focuses on international, European and comparative law aspects of IP and is based on international and European legal instruments (international Treaties, EU Regulations and Directives).</p> <p>After some introductory sessions on IP in general (overview of the basic features of IP, rationale, international sources, etc.), the next sessions serve to present the building blocks (subject matter, conditions of protection, scope of protection and exceptions, ownership, duration, etc.) of the most common IP rights: copyright, trademark, patent and design, trade secrets.</p> <p>Other sessions are used to study and discuss selected issues, which usually raise public policy questions and/or relate to other bodies of law (IP and freedom of expression, overlap of protection, etc.). These issues will be discussed on the basis of court decisions or other documents.</p> |
| <p>Bibliography</p> | <ol style="list-style-type: none"> 1. L. Bently and B. Sherman, Intellectual Property Law, Oxford UP, 6th ed., 2022. 2. W. Cornish, D. Llewelyn & T. Aplin, Intellectual Property: Patents, Copyrights, Trademarks and Allied Rights, Sweet & Maxwell, 10th ed, 2023 3. A. Kur and Th. Dreier, European Intellectual Property Law, Text, Cases and Materials, Edward Elgar, 2019. |
| <p>Faculty or entity in charge</p> | <p>DRTB</p> |

| Programmes containing this learning unit (UE) | | | | |
|--------------------------------------------------------------|-------------------------|---------|---------------------------|-------------------------------------------------------------------------------------|
| Program title | Acronym | Credits | Prerequisite | Learning outcomes |
| Bachelor in Law | DROB1BA | 4 | BDROI1218 |  |
| Bachelor in Law French-English (and French-English-Dutch) | DRAB1BA | 4 | BDROI1218 |  |
| Bachelor in Droit - Rechten - Laws | DREB1BA | 4 | |  |