

Module 23: Intellectual Property

Stage		3					
Semester		1 or 2					
Module Title		LLBH-IPL					
Module Number		23					
Module Status		Elective					
Module ECTS Credits		5					
Module NFQ level		8					
Pre-Requisite Module Titles		None					
Co-Requisite Module Titles		None					
Capstone Module?		No					
List of Module Teaching Personnel		Dean David Langwallner					
Contact Hours				Non-contact Hours			Total Effort (hours)
24				76			100
Lecture	Practical	Tutorial	Seminar	Assignment	Placement	Independent Work	
24						76	100
Allocation of Marks (Within the Module)							
	Continuous Assessment	Project	Practical	Final Examination	Total		
Percentage Contribution				100	100		

Intended Module Learning Outcomes

On successful completion of this module, learners will be able to:

1. Demonstrate detailed understanding of the principles of intellectual property law.
2. Critically discuss the principles of copyright law.
3. Explain and critique the principles of patents.
4. Develop a critical and detailed understanding of the principles of trademark and passing off.
5. Critique the theoretical and philosophical underpinnings of intellectual property law.
6. Demonstrate enhanced legal reasoning and argumentation skills in the subject area.
7. Engage in detailed research in a clear manner.

Module Objectives

1. Inculcate within the learner a critical and complete comprehension of the principles of Intellectual property law.
2. Develop within the learner a philosophical, theoretical and topical understanding of the subject.
3. Enabled the learner to comprehend the functioning of these principles in the context of a wide range of communications
4. Develop enhanced research skills in the learner.

Module Curriculum

- **Copyright**
 - History of Copyright
 - Originality, *De Minimis*, Idea/Expression Dichotomy
 - Literary Copyright
 - Artistic Copyright
 - Musical Copyright
 - Dramatic Copyright
 - Duration of Copyright
 - Ownership of Copyright
 - Infringement
 - Defences to Infringement
 - Remedies
- **Patent**
 - History of Patent
 - Novelty and Inventive Step
 - Industrial application and Non Patentability
 - Duration of Patent
 - Registration of Patent
 - Ownership of Patent
 - Infringement of Patent
 - Remedies
- **Trademark and Passing Off:**
 - History of Trademark
 - Scope of Trademark
 - National and International marks
 - Absolute grounds for refusal of a mark
 - Relative grounds for refusal of a mark
 - Revocation of a patent
 - Invalidity of a patent
 - Trademark registration process
 - Infringement of trademark
 - Remedies

- **Misappropriation of personality, privacy and publicity rights**
 - Passing off

Reading lists and other learning materials

Primary Reading:

Bently, L. & Sherman, B. (2009) *Intellectual Property Law*. Oxford: OUP
 Clark R., Smyth S. & Hall, N. (2010) *Intellectual Property Law in Ireland*. Dublin: Bloomsbury

Secondary Reading:

Caddick, N., Davies, G. & Harbottle, G. (2013) *Copinger and Skone James on Copyright*. London: Sweet and Maxwell
 Clark, R. (2008) *Irish Copyright and Design Law*. Dublin: Bloomsbury
 Cornish, W. (2013) *Intellectual Property: patents, copyright, trademarks and allied rights*. London: Sweet & Maxwell
 Bainbridge, D. (2013) *Intellectual Property Law*. Harlow: Longman
 Goldstein, P. (2013) *International Intellectual Property Law: Cases and Materials*. New York: Foundation Press
 Nagle, E. (2012) *Intellectual Property Law*. Dublin: Round Hall

Module Learning Environment

Accommodation

Lectures and workshops take place in a classroom setting. Participants also have access to online teaching resources and Moodle

Library

All learners have access to an extensive range of “physical” and “remote access” library resources. The library monitors and updates its resources on an on-going basis, in line with the College’s Library Acquisition Policy. Lecturers collaborate with the library in updating reading lists for this course on an annual basis as is the norm with all programmes run by Griffith College.

Module Teaching and Learning Strategy

This module is delivered through a series of lectures which consist of tutorial-style discussions, group work sessions and exercises. The lectures are supplemented by structured on-line resources and reading. The final two lectures consist of workshops seeking to directly enforce the module learning outcomes by engagement of practical application of the law of intellectual property to factual scenarios.

Learners also engage in collaborative work in pairs or groups to brainstorm what learning has been achieved at the end of lectures. In order to support learners through the exam

process they engage in the answering of sample exam questions and correction of their own or peers papers, thereby familiarising themselves with the marking criteria. Learners also engage in activities whereby they draft their own exam question in order to recap and reconsolidate a particular topic.

Module Assessment Strategy

Element No.	Weighting	Type	Description	Module Learning outcomes
1	100%	Exam	The examination consist of a choice of both essay and problem style questions. Essay style questions place emphasis on the learners' demonstrating their understanding of the fundamental principles of Intellectual Property law, including copyrights patents, trademarks and passing off thereby assessing learning outcomes 1 to 7. Problem style questions enable learners to apply principles of Intellectual Property law to a factual scenario, thereby assessing learning outcomes 1 to 7.	1-7

Sample Assessment with Rubrics - see Annex 2