



Faculty of Law

## JUFN23, Licensing in an International Context, 15 credits

*Licensing in an International Context, 15 högskolepoäng*

Second Cycle / Avancerad nivå

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### Details of approval

The syllabus was approved by Educational Committee of the Law Faculty Board on 2014-11-25 to be valid from 2014-11-25, spring semester 2015.

### General Information

The course is open to students on the programme leading to a Swedish Professional Law degree and who follow the Master's Programme in European Business Law in their studies at advanced level. The course is also open to international students participating in exchange programmes with the Faculty of Law.

*Language of instruction:* English

*Main field of studies*

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*Depth of study relative to the degree requirements*

A1N, Second cycle, has only first-cycle course/s as entry requirements

### Learning outcomes

The aim of the course is to enable students to critically reflect upon the basic principles, legislation and case law of European Union Competition Law.

### Knowledge and understanding

To pass the exam the student shall show a basic understanding of EU and US contract, IPR and competition law principles as well as WTO trade law requirements.

### Competence and skills

To pass the exam the student shall:

- show the ability to master a wide range of diverse sources of legislation, case law and doctrine in EU and USA;

- show the ability to uncover practical solutions in the application of International Licensing;
- assess legal and economic issues in relation to International trade law
- discuss and give suggestions on typical licensing aspects.

### **Judgement and approach**

Students shall train inter-disciplinary working methods. They shall simultaneously perform independent investigation and take full responsibility for the development of their own knowledge in an objective, but critical manner.

To pass the examination the students shall be able to consider and discuss social and ethical responsibilities within a commercial environment and make personal judgments based on these reflections.

### **Course content**

The course takes as its point of departure an invention made at the faculty of medicine. How can this invention be advanced from the research stage to a commercial stage? How can it be licensed out to a commercial partner on optimal conditions and be made available to the health care environment?

The course will primarily investigate conditions for technology transfer on a European level and compare them with US requirements. IPR, competition law and trade rules are in focus. The TRIPS agreement and its rules on Technology transfer to developing countries will also be addressed.

### **Course design**

Teaching is provided in the form of web instructions and seminar discussions. Apart from the assigned literature, the course requires individual library studies, particularly on the EU and US case law development.

The course is scheduled to require 10 weeks of full time studies.

### **Assessment**

Examination will take the form of a written report. Grading will be based on active participation in seminars (50%), written presentations (50%). 80% presence in seminars is a requirement.

*Subcourses that are part of this course can be found in an appendix at the end of this document.*

### **Grades**

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

One of the following grades is given: Pass with Distinction (AB), Pass with Credit (BA), Pass (B) or Fail (U).

All grading criteria rest on the baseline set up for the grade B. Criteria for the grade BA are additional to those for the grade B. Criteria for the grade AB are additional to those for the grade BA.

Grading criteria are applied to all dimensions listed as “Learning outcomes” in this syllabus. By way of example, an AB would presuppose that the student’s activities reflect her or his mastery with regard to knowledge and understanding, skills and abilities and values and attitudes as laid down in the syllabus as “learning outcomes”. Grading is done primarily using Qualitative and Quantitative criteria. The Quantitative criterion reflects how well read the student is whereas the Qualitative criterion reflects how well the student can use his/her knowledge to make a well structured critical and analytical argument and put it in a proper context.

### **B – Basic command**

In order to pass the student must show sound knowledge in respect of international licensing matters.

The student has to show ability to put international licensing in its proper legal framework; show an ability to identify legal problems independently, as well as analyse, compare and assess theoretical and practical problems within the context of EU and US Law.

The student must show a fair ability to analyse case law both in an oral and a written form and an ability to work both individually and in groups.

### **BA – Advanced command**

In order to achieve this grade the student must show an in-depth knowledge about the applicable law and procedures and how it is applied before the courts, policymakers and in legal scholarship.

The student must be able to demonstrate knowledge about current research and methodology.

The student must show a good ability to analyse case law both in an oral and a written form and an ability to work both individually and in group .as well as an ability to analyse, compare and assess theoretical and practical problems within the context of international licensing.

### **AB – Mastery**

In order to achieve this grade the student must show excellent, in-depth knowledge about the applicable law and procedures and how it is applied before the courts, policymakers and in legal scholarship...

The student must show an excellent ability to analyse case law both in an oral and a written form and to work both individually and in group .as well as an excellent ability to analyse, compare and assess theoretical and practical problems within the context of EU competition law.

## **Entry requirements**

Priority will be given to students with prior experience in the field of competition, IPR and/or international trade law.

## **Further information**

The required literature will consist of (i) a compilation of EU and US case law as well as (ii) a compilation of international legislation to available in the reception before the course starts. References will be made to scientific articles available on the internet.

The course is scheduled to require 10 weeks of full time studies.

## Subcourses in JUFN23, Licensing in an International Context

Applies from V14

1401 Essay, 15,0 hp

Grading scale: Fail, Pass, Pass with credit, Pass with distinction