



LUND
UNIVERSITY

School of Economics and Management

HARN54, Intellectual Property and Trade, 15 credits *Immaterialrätt och handel, 15 högskolepoäng* Second Cycle / Avancerad nivå

Details of approval

The syllabus was approved by The Board of the Department of Business Law on 2019-11-13 and was last revised on 2022-06-08. The revised syllabus applies from 2022-08-29, autumn semester 2022.

General Information

The course Intellectual Property and Trade is an advanced course which focuses on the regulation, management and enforcement of intellectual property rights, especially in the WTO context via the TRIPS agreement, free trade agreements and within the European Union. The course also includes aspects of intellectual property rights as investment assets, and as collateral for financing.

The course is an optional course for the students achieving a Master of European and International Trade Law. It may also be studied as a single subject course.

Language of instruction: English

Main field of studies

European and International Trade Law

Depth of study relative to the degree requirements

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

Learning outcomes

The students will be trained as reflective practitioners in taking an active part in developing a sustainable society building on innovative thinking. This course will particularly enable the students to adopt informed decisions regarding legal aspects of intellectual property rights in trade and investments and be able to convert regulatory constraints into opportunities. It aims at providing students with knowledge and understanding in European and international intellectual property law and of the enforcement mechanisms in place.

A passing grade on the course will be awarded to students who:

Knowledge and understanding

- demonstrate knowledge and understanding in the fields of European and international intellectual property law; and
- demonstrate methodological knowledge in European and international intellectual property law.

Competence and skills

- demonstrate an ability to analyse and apply the law in the fields of European and international intellectual property law;
- demonstrate an ability to independently identify and formulate legal challenges related to European and international intellectual property law; and
- demonstrate an ability to work individually as well as in groups with students from different cultures in order to solve practical problems.

Judgement and approach

- demonstrate an ability to make assessments in the fields of European and international intellectual property law, taking into account relevant scientific, social and ethical aspects; and
- demonstrate an ability to identify their need of further knowledge and to take responsibility for developing their knowledge.

Course content

The course covers the European and international dimension of intellectual property rights. International trade evolves rapidly and becomes increasingly complex, not the least as regards intellectual property rights. The course covers topics such as the importance of protection, management and enforcement of intellectual property in trade, the regulation of intellectual property protection in the WTO context via the TRIPS agreement, regulation of intellectual property in free trade agreements, and EU harmonisation in this field. The course also includes aspects of intellectual property rights as investment assets, and as collateral for financing.

Course design

Teaching is structured in lectures and seminars. Students' active participation is compulsory during the seminars.

Assessment

The course requires active participation from the students during lectures, seminars and group works. It also requires individual preparation (self-study).

Examination is based on individual as well as group performance. The exam is an individual written exam. The individual performance also includes an individual paper (essay). Defense of one's own paper and acting as a discussant on another student's paper is compulsory and part of the examination. Group performances and other

individual performances are case solving activities and can include written short assignment/s and/or oral presentation/s.

In order to pass, students are required to meet the 100% active attendance requirement in the seminars.

For the examination, special consideration is given to the students' ability to fulfill the submitted tasks within the set time.

In connection with the course three exam opportunities are offered; one exam, one re-exam and a second re-exam in August the following year.

The total number of occasions that a student can try to complete the examination for the approved result on the course is limited to five occasions.

The examiner, in consultation with Disability Support Services, may deviate from the regular form of examination in order to provide a permanently disabled student with a form of examination equivalent to that of a student without a disability.

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

Grades

Marking scale: Fail, E, D, C, B, A.

At the School of Economics and Management grades are awarded in accordance with a criterion-based grading scale A-U. Students have to receive a grade of E or higher in order to pass the course.

A (Excellent) A distinguished result that is excellent with regard to theoretical depth, practical relevance, analytical ability and independent thought.

B (Very good) A very good result with regard to theoretical depth, practical relevance, analytical ability and independent thought.

C (Good) The result is of a good standard with regard to theoretical depth, practical relevance, analytical ability and independent thought and lives up to expectations.

D (Satisfactory) The result is of a satisfactory standard with regard to theoretical depth, practical relevance, analytical ability and independent thought.

E (Sufficient) The result satisfies the minimum requirements with regard to theoretical depth, practical relevance, analytical ability and independent thought, but not more.

U (Fail) The result does not meet the minimum requirements with regard to theoretical depth, practical relevance, analytical ability and independent thought.

Plagiarism is considered to be a very serious academic offence. The University will take disciplinary actions against any kind of attempted malpractice in examinations and assessments. The penalty that may be imposed for this, and other improper practices in examinations or assessments, includes suspension from the University for a specific period of time.

Entry requirements

An undergraduate degree in Law or an undergraduate degree in Economics or Business Administration (BSc, LL.B. or equivalent), including 15 ECTS credits in Law or equivalent knowledge.

A good command of English language, both spoken and written, equivalent to English 6 (advanced level) in the Swedish secondary system.

Subcourses in HARN54, Intellectual Property and Trade

Applies from H22

- 2201 Exam, 6,5 hp
Grading scale: Fail, Pass
- 2202 Individual paper, 6,5 hp
Grading scale: Fail, Pass
- 2203 Seminars, 2,0 hp
Grading scale: Fail, Pass

Applies from H21

- 2101 Exam, 7,5 hp
Grading scale: Fail, Pass
- 2102 Individual paper, 7,5 hp
Grading scale: Fail, Pass
- 2103 Seminars, 0,0 hp
Grading scale: Fail, Pass