

Course Outline (2017)

COMLAW 320: INTELLECTUAL PROPERTY AND INNOVATION (15 POINTS)

Semester 2 (1175)

Course Prescription

Managers and entrepreneurs need to understand the legal rules governing the protection and commercialisation of innovative ideas and information and their application in business. Topics covered include the role of copyright in a technological society, the importance of secrecy in protecting valuable ideas by way of patents and the common law, and the interaction of contract with elements of intellectual property.

Programme and Course Advice

Prerequisite: COMLAW 101 or 191 or LAW 101 and 15 points from Stage II COMLAW

Goals of the Course

The goal of this course is to provide students with a sound knowledge and understanding of intellectual property as it relates to protecting information and ideas. Students will see that while intellectual property rights are powerful, they do not protect all ideas and, of the ideas they do protect, they do not protect them completely.

Learning Outcomes

By the end of this course it is expected that students will be able to:

1. Identify and explain the main justifications for an intellectual property system and the main characteristics of different intellectual property rights;
2. Demonstrate how registered trade mark law and the tort of passing off can protect branding elements associated with innovation and product design;
3. Evaluate the extent to which patent law, and the common law action for breach of confidence can protect innovation;
4. Identify and explain different strategies for protecting innovation and the different legal mechanisms for commercialising innovation, such as licensing;
5. Describe the scope of protection that copyright offers;
6. Evaluate whether a work protected by copyright has been infringed using legal problem solving;
7. Demonstrate the difference between copyright and registered designs;
8. Evaluate the benefits and disadvantages of different ways of resolving disputes;
9. Identify, analyse and examine issues that arise in the commercialisation of innovation and demonstrate problem solving.

Content Outline

Week 1	Introduction to Intellectual Property and Brand Protection
Week 2	Brand Protection
Week 3	Patent Law
Week 4	Patent Law and Confidential Information
Week 5	Confidential Information and Protection Strategies
Week 6	Commercialisation and Licensing
Week 7	Copyright Law
Week 8	Copyright Law
Week 9	Copyright Law
Week 10	Copyright Law
Week 11	Registered Designs
Week 12	Dispute Resolution

Learning and Teaching

There are three lecture hours per week: one two-hour lecture and one one-hour lecture. There are no tutorials for this course. Office hours will be advised during lectures and the times also posted on Canvas.

Teaching Staff

Kevin Glover

Phone: 307 9814

Email: kglover@shortlandchambers.co.nz

Alex Sims

Office: 582, OGGB Building

Phone: 373 7599 (ext. 84901) or 923 4901

Email: a.sims@auckland.ac.nz

Learning Resources

Course book

A course book for this course will be available for purchase at the Business School bookshop, Owen G Glen building, room 062.

Text books

There are no prescribed text books. However, a **highly recommended** text book is:

Sumpter, P. (2013) *Intellectual Property Law: Principles in Practice*. Auckland: CCH (2nd ed).

Assessment

Assessment in this course consists of the following:

Online test:	3%
In class test (1):	20%
In class test (2):	17%
2 hour final exam:	60%

The tests and the exam will be open book. There is no plussage in this course.

Learning Outcome	Online Test	In-Class Test 1	In-Class Test 2	Final Exam
1	X	X	X	
2	X	X		
3		X		X
4				X
5			X	X
6			X	X
7			X	X
8			X	X
9		X	X	X

Inclusive Learning

Students are urged to discuss privately any impairment-related requirements face-to-face and/or in written form with the course co-ordinator (Alex Sims).

Lecture Recordings

There are lecture recordings in this course, however you are strongly recommended to attend lectures in person.

If you anticipate difficulties attending lectures please discuss the matter with the course co-ordinator.

Student Feedback

The course was last revised in 2014, and was very well received by students achieving a high level of overall satisfaction. This year there is no group assignment as there has been in previous years.