1. **KentVision Code and Title of the module**

(LAWS8130) Contemporary Topics in Intellectual Property Law

1. **Division or partner institution which will be responsible for management of the module**

Division for the Study of Law, Society and Social Justice (Kent Law School)

1. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 7

1. **The number of credits and the ECTS value which the module represents**

20 credits (10 ECTS Credits)

1. **Which term(s) the module is to be taught in (or other teaching pattern)**

Autumn term (term 1) or Spring term (term 2)

1. **Prerequisite and co-requisite modules and/or any module restrictions**

Prior attendance of LW801 Intellectual Property Law is welcome, but not a prerequisite.

1. **The courses of study to which the module contributes**

LLM in (Specialisation); LLM in Law; PG Diploma in (Specialisation); PG Certificate in Law.

1. **The intended subject specific learning outcomes.  
   On successfully completing the module, students will be able to:**
   1. Demonstrate systematic knowledge of contemporary issues in the various fields of intellectual property (copyright, patents, trademarks and neighbouring rights) in both the domestic and global arenas;
   2. Engage in informed scholarly discussions over the principles and practices of intellectual property law as they arise in relation to topical issues;
   3. Propose creative reforms and solutions to contemporary intellectual property issues.
2. **The intended generic learning outcomes.  
   On successfully completing the module, students will be able to:**
   1. Conduct comprehensive research and produce scholarly essays about contemporary issues and debates;
   2. Critically examine complex issues in a concentrated and detailed manner;
   3. Identify and critically debate the main issues at stake in the particular topic(s) being examined;
   4. Identify and critically evaluate the main literature and sources relevant to the subject.
3. **A synopsis of the curriculum**

This module explores a range of key issues in contemporary intellectual property, which are subject to contentious and often crudely conducted debates. It identifies and questions intellectual property law’s underlying justifications, conceptual assumptions and material practices through the lens of novel modes of biological, cultural and scientific production that challenge the legal regime. Questions in this regard include:

* Can nature be patented? Do patents turn human persons into ‘things’?
* Who produces knowledge? Who owns access to knowledge?
* Is enforcing patents on pharmaceuticals in developing countries just?
* Does quoting or paraphrasing in literature or art amount to copying? Is creativity original?
* Is plagiarism theft? Kidnapping? Plain bad manners?
* What is the cultural and political significance of free software?
* Do trade marks commodify language?

The module will introduce students in detail to the most acute and pressing current debates in intellectual property, such as justification for patents and their effects, copyright and piracy, logos & brands. It aims to provide students with a solid understanding of legal internal ways of thinking and arguing about intellectual property, as well as an introduction to wider theoretical resources which will encourage a differentiated and critical assessment of intellectual property law’s effects and limitations. Intellectual property will furthermore be understood to comprise not only intellectual property law, but also proprietary practices and strategies that concern knowledge. Readings will be drawn from the multi-disciplinary scholarship on intellectual properties, including anthropology, history, science studies, economics and social theory.

1. **Reading list (Indicative list, current at time of publication. Reading lists will be published annually)**

A course pack of readings will be produced by the module convenor in conjunction to electronic resources made available to students via course Moodle page. These will contain current intellectual property questions and debates, as well as relevant case law.

A selection of indicative reading:

* M. Biagioli, P. Jaszi & M. Woodmansee (eds), *Making and Unmaking of Intellectual Property. Creative Production in Legal and Cultural Perspective* (Chicago, 2011)
* C. Hayden, *When Nature Goes Public. The Making and Unmaking of Bioprospecting in Mexico* (Princeton, 2003)
* C. Kelty, *Two Bits. The Cultural Significance of Free Software* (Duke, 2008)
* N. Klein, *No Logo* (Picador, 2000)
* C. Lury, *Brands. The Logos of Global Economy* (Routledge, 2004)
* B. Sherman & L. Bently, *The Making of Modern Intellectual Property Law* (Cambridge, 1999)
* K. Sunder Rajan, *Biocapital* (Duke, 2006)

1. **Contact hours**

Total study hours: 200

Contact hours: 18

Private study hours: 182

1. **Assessment methods.**

13.1 Main assessment methods

The module is assessed by 100% coursework consisting of:

Coursework – essay (4000 words) - 100%

13.2 Reassessment methods

100% coursework

1. **Map of module learning outcomes (sections 8 & 9) to learning and teaching methods (section 12) and methods of assessment (section 13)**

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| --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 9.1 | 9.2 | 9.3 | 9.4 |
| **Learning / teaching method** |  |  |  |  |  |  |  |
| Seminars | x | x | x |  | x | x | x |
| Private Study | x | x | x | x | x | x | x |
| **Assessment method** |  |  |  |  |  |  |  |
| Essay - 4000 words | x | x | x | x | x | x | x |

1. **Inclusive module design**

The Division/School recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

**a) Accessible resources and curriculum**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar slides/outlines will be made available in electronic format in advance to allow all students to prepare (particularly students with notetaking difficulties).
5. In accordance with the KLS school-level statement on Lecture Capture, seminars will not be routinely recorded because they regularly contain sensitive material and are heavily discussion based.

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b (1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or centre(s) where module will be delivered:**

Canterbury

1. **Internationalisation**

Intellectual Property Law is inherently international in nature and scope. This module, in particular, directs students, at various points, to a variety of essential readings by prominent international authors, as well as case law heard in both domestic and international courts (e.g. the United States Supreme Court and European Court of Justice). A number of themes have a comparative dimension e.g. the enforcement of pharmaceutical patents in developing countries.

**DIVISIONAL USE ONLY**

**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

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| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs (Q6 & 7 cover sheet) |
| 09/2021 | Minor | September 2021 | 13.1, 14 | No |
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