



LAWS8024

Intellectual Property Law

Session 2, Special circumstance, Other 2020

Macquarie Law School

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Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

Notice

As part of [Phase 3 of our return to campus plan](#), most units will now run tutorials, seminars and other small group learning activities on campus for the second half-year, while keeping an online version available for those students unable to return or those who choose to continue their studies online.

To check the availability of face-to-face and online activities for your unit, please go to [timetable viewer](#). To check detailed information on unit assessments visit your unit's iLearn space or consult your unit convenor.

General Information

Unit convenor and teaching staff

Convenor and Lecturer

Niloufer Selvadurai

niloufer.selvadurai@mq.edu.au

Contact via iLearn communications portal

6 First Walk Room Office 621

Fridays 10am-11am

Lecturer

Rita Matulionyte

rita.matulionyte@mq.edu.au

Tutor and On Campus Session teacher

Julian Dight

julian.dight@mq.edu.au

Credit points

10

Prerequisites

(Admission to JD and 80cp in LAW or LAWS units at 6000 level or above) or (admission to LLM or MIntTrdeComLaw or LLB(Hons))

Corequisites

Co-badged status

Unit description

This unit provides an understanding of the principles and practice of intellectual property law, encompassing the law of copyright, designs, trade marks, patents and confidential information. The unit begins by considering the theoretical underpinnings of intellectual property law, and progresses to a detailed examination of the existing regulatory frameworks and an analysis of the present law reform discourse. The unit will provide students with a doctrinal understanding of the relevant legal principles, and equip students with the capacity to apply legal principles to complex factual circumstances.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

Learning Outcomes

On successful completion of this unit, you will be able to:

ULO1: Explain and critique the fundamental principles of intellectual property law and demonstrate a sophisticated knowledge of the specific rules in intellectual property law through the close examination of legislation and cases.

ULO2: Display sophisticated skills of legal analysis through the application of intellectual property law to hypothetical fact

ULO3: Demonstrate highly developed skills in the design of new laws and the reform of existing laws through an examination of the policy debates and law reform discourse in key themes related to intellectual property law

General Assessment Information

GENERAL INFORMATION ON RESEARCH ASSIGNMENTS 1 AND 2

Word limit – 2,000 words, not including footnotes and bibliography. Footnotes need to be confined to citations. Citations should be in compliance with the *Australian Guide to Legal Citations*.

Marking rubric – Please see ‘Research Assignment Rubric’. This can be found on the ilearn website for LAWS8024 under the banner of ‘Assessment’.

Independent legal research – Please note that the research assignments will require independent legal research that goes beyond the prescribed readings for lectures and tutorials.

Submission method – The assignment must be submitted via the Turnitin ‘Research Assignment’ icon. This can be found on the ilearn website for LAWS8024 under the banner of ‘Assessment’.

Moderation – The markers will have a series of meetings to moderate the marking of the Research Assignment. The markers and convenor undertake a process of moderation to mark 10% of the papers and establish an equitable and consistent standard. All Fail papers are double-marked.

Late policy - Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due time – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests

Assessment Tasks

Name	Weighting	Hurdle	Due
<u>Research Assignment</u>	50%	No	Week 7 - Friday 11 September 2020

Name	Weighting	Hurdle	Due
Research Assignment	50%	No	Week 12 - Friday 30 October 2020

Research Assignment

Assessment Type ¹: Essay

Indicative Time on Task ²: 36 hours

Due: **Week 7 - Friday 11 September 2020**

Weighting: **50%**

The Research Assignment requires students to undertake detailed and comprehensive research on a particular issue of intellectual property law and present a sophisticated and analytical argument that address the set question. Students are expected to critically evaluate scholarly discourse, including international scholarship and law reform material, to construct well-informed arguments and recommendations.

On successful completion you will be able to:

- Explain and critique the fundamental principles of intellectual property law and demonstrate a sophisticated knowledge of the specific rules in intellectual property law through the close examination of legislation and cases.
- Display sophisticated skills of legal analysis through the application of intellectual property law to hypothetical fact
- Demonstrate highly developed skills in the design of new laws and the reform of existing laws through an examination of the policy debates and law reform discourse in key themes related to intellectual property law

Research Assignment

Assessment Type ¹: Essay

Indicative Time on Task ²: 36 hours

Due: **Week 12 - Friday 30 October 2020**

Weighting: **50%**

The Research Assignment requires students to undertake detailed and comprehensive research on a particular issue of intellectual property law and present a sophisticated and analytical argument that address the set question. Students are expected to critically evaluate scholarly discourse, including international scholarship and law reform material, to construct well-informed arguments and recommendations.

On successful completion you will be able to:

- Explain and critique the fundamental principles of intellectual property law and demonstrate a sophisticated knowledge of the specific rules in intellectual property law through the close examination of legislation and cases.
- Display sophisticated skills of legal analysis through the application of intellectual property law to hypothetical fact
- Demonstrate highly developed skills in the design of new laws and the reform of existing laws through an examination of the policy debates and law reform discourse in key themes related to intellectual property law

¹ If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

² Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

Prescribed textbook - Stewart, A, et al, *Intellectual Property in Australia*, 6th edition, 2017, Lexisnexis Australia.

Tutorial readings - Access via Leganto. Readings are organised by weeks. If you are unfamiliar with Leganto, please contact the library helpdesk.

Unit Schedule

WEEK	TOPIC
1	Introduction to intellectual property law
2	Copyright I
3	Copyright II
4	Copyright III

5	Designs I
6	Designs II
7	Trade Marks I
8	Trade Marks II
9	Patents I
10	Patents II
11	Commercialisation of intellectual property
12	International perspectives

Weekly readings: Please refer to the LAWS8024 iLearn for the relevant Prescribed textbook chapter(s) and tutorial reading(s) required for each week. You can access the tutorial readings via Leganto. Please contact the Library help desk if you are unfamiliar with Leganto.

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central\)](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#) (**Note:** The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.)

Students seeking more policy resources can visit the [Student Policy Gateway \(https://students.mq.edu.au/support/study/student-policy-gateway\)](https://students.mq.edu.au/support/study/student-policy-gateway). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit [Policy Central \(https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/p\)](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/p)

[olicy-central](#)).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/study/getting-started/student-conduct>

Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit ask.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study strategies to help you improve your marks and take control of your study.

- [Getting help with your assignment](#)
- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

If you are a Global MBA student contact globalmba.support@mq.edu.au

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#).
The policy applies to all who connect to the MQ network including students.

Changes from Previous Offering

None