



LAWS5023

Intellectual Property Law

Session 2, In person-scheduled-weekday, North Ryde 2024

Macquarie Law School

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Disclaimer

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General Information

Unit convenor and teaching staff

Convener

Rita Matulionyte

Contact via via ilearn

17 WW rm 337

See ilearn

Credit points

10

Prerequisites

(80cp in LAW or LAWS units incl LAWS2200) or (130cp including (MMCC2014 or MAS214) or (BUSL250 and BUSL301) or (BUSL251 or ACCG2051)

Corequisites

Co-badged status

Unit description

This unit explores the various forms of intellectual property protected under statutory regimes and general law. The unit identifies and evaluates existing intellectual property regimes such as copyright, patents, plant breeders' rights, designs, trade mark, passing off and relevant aspects of unfair trading laws. The unit analyses the subject matter protected, conditions of such protection and what constitutes infringement for each head of protection. Students are taught to identify and explain the interrelationship and overlaps between different intellectual property regimes. Students learn how to apply intellectual property principles and policy in practical scenarios.

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: Describe and analyse the fundamental principles of intellectual property law.

ULO2: Demonstrate detailed and comprehensive knowledge of the specific rules in intellectual property law through the close critique of legislation, case law and law reform policy discourse.

ULO3: Exhibit skills of legal analysis through the application of the law to hypothetical fact situations involving intellectual property law

ULO4: Identify intellectual property law issues and apply the relevant law to provide accurate legal advice, including where relevant, assessment of the likely outcome.

General Assessment Information

All written assessments submitted electronically must be submitted through the link provided in iLearn. This unit will utilise Turnitin plagiarism detection software. Students should carefully check that they submit the correct file for an assessment, as re-submissions will not be accepted after the due date and time, including instances where students upload an incorrect file in error.

The design, moderation and feedback of all assessments is in accordance with the Macquarie University Assessment Procedure (link provided under 'Policies and Procedures' below).

Late Submission Policy

A maximum penalty of five (5) percentage points of the total possible marks will be applied per day to late submissions, for up to a maximum of seven calendar days. Tasks that have not been submitted within the maximum number of additional late days will receive a mark of zero. This provision does not apply to online exams or other assessment with a time limit of less than 24 hours.

Penalties for late submission will be applied consistently and equitably to all students enrolled in the unit. Where short-term, serious and unavoidable circumstances have affected their ability to submit an assessment task, a student must submit a formal application for Special Consideration as per the Special Consideration Policy. Students should not request an informal arrangement from their tutor, lecturer or Unit Convenor.

Where an application for Special Consideration is approved, and the outcome is an extension to the due date of a task, submissions that are received after the new due date will be subject to late penalties that are calculated from the new due date. This only applies where the outcome is an extension to the due date – see the Special Consideration Policy for a schedule of all possible outcomes.

Special Consideration

Students should submit applications for Special Consideration electronically via ask.mq.edu.au, along with the supporting documentation. Before submitting their applications, students should refer to the Special Consideration Policy (link provided under 'Policies and Procedures' below).

Assessment Tasks

Name	Weighting	Hurdle	Due
<u>Class Participation</u>	20%	No	Ongoing
<u>Final Assessment</u>	40%	No	2024-08-30

Name	Weighting	Hurdle	Due
<u>Professional Writing Task</u>	40%	No	2024-11-01

Class Participation

Assessment Type ¹: Participatory task

Indicative Time on Task ²: 0 hours

Due: **Ongoing**

Weighting: **20%**

An assessment of students' participation in tutorials which may include participation in tutorial discussions and debates, problem-solving, role plays, critical engagement with the unit materials, and other activities. This may require preparation before the tutorial including completing the required readings and considering or preparing responses to the tutorial materials.

On successful completion you will be able to:

- Describe and analyse the fundamental principles of intellectual property law.
- Demonstrate detailed and comprehensive knowledge of the specific rules in intellectual property law through the close critique of legislation, case law and law reform policy discourse.
- Exhibit skills of legal analysis through the application of the law to hypothetical fact situations involving intellectual property law
- Identify intellectual property law issues and apply the relevant law to provide accurate legal advice, including where relevant, assessment of the likely outcome.

Final Assessment

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 15 hours

Due: **2024-08-30**

Weighting: **40%**

The final time-limited assessment task consists of questions selected from all material taught in the unit and may include essay style or hypothetical questions.

On successful completion you will be able to:

- Describe and analyse the fundamental principles of intellectual property law.

- Demonstrate detailed and comprehensive knowledge of the specific rules in intellectual property law through the close critique of legislation, case law and law reform policy discourse.
- Exhibit skills of legal analysis through the application of the law to hypothetical fact situations involving intellectual property law
- Identify intellectual property law issues and apply the relevant law to provide accurate legal advice, including where relevant, assessment of the likely outcome.

Professional Writing Task

Assessment Type ¹: Professional writing

Indicative Time on Task ²: 15 hours

Due: **2024-11-01**

Weighting: **40%**

This task will focus on a particular professional skill relevant to intellectual property law. Students will research and produce a piece of writing typical of the legal profession such as an essay, a judgment, submissions or law reform analysis.

On successful completion you will be able to:

- Describe and analyse the fundamental principles of intellectual property law.
- Demonstrate detailed and comprehensive knowledge of the specific rules in intellectual property law through the close critique of legislation, case law and law reform policy discourse.
- Identify intellectual property law issues and apply the relevant law to provide accurate legal advice, including where relevant, assessment of the likely outcome.

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

Delivery

Lectures: 2-hour pre-recorded online lecture each week, available via ECHO

Tutorials: 1-hour weekly tutorials

This unit is worth 10 credit points, which equates to 150 hours of work. Therefore, students should expect to commit an average of 10 hours per week to this unit, including all scheduled and unscheduled activities and preparing and executing the assessment tasks.

Resources

The required textbook/s is/are:

[William van Caenegem](#), [Judith Bannister](#), [Charles Lawson](#), [Adam Liberman](#), [Andrew Stewart](#), [Intellectual property in Australia](#), Seventh Edition, LexisNexis Butterworths, ISBN/ISSN: 9780409354898.

Students can purchase these textbooks online from online resellers such as [Booktopia](#), [Amazon](#) and [Zookal](#).

Additional readings will be accessible through iLearn.

Students require access to a computer, internet with decent speed and a secure/reliable server. The iLearn page contains all Unit requirements and a weekly schedule for teaching, readings and tutorials. Information about all assessment tasks is also available on iLearn.

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](#) (<https://policies.mq.edu.au>). 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](#)
- [Assessment Procedure](#)
- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

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

To find other policies relating to Teaching and Learning, visit [Policy Central](#) (<https://policies.mq.edu.au>) and use the [search tool](#).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of

Conduct: <https://students.mq.edu.au/admin/other-resources/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 connect.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

Student Support

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

The Writing Centre

[The Writing Centre](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the 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

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual

assault

- [Social support including information about finances, tenancy and legal issues](#)
- [Student Advocacy](#) provides independent advice on MQ policies, procedures, and processes

Student Enquiries

Got a question? Ask us via the [Service Connect Portal](#), or contact [Service Connect](#).

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.

Unit information based on version 2024.04 of the [Handbook](#)