

Core courses

# Intellectual Property Law and Knowledge Management LLM

## IPKM Common Core Courses

Faculty of Law

### EPC Claim Interpretation

#### Full course description

This course is specific to the MSc track and provides an insight to the theory and practice of drafting and interpreting patent claims. Students will be offered an insight into the translation of technical specifications in a patent application and the tools to draft a patent application that offers the inventor maximal patent protection for his invention within the framework of the European Patent Convention and in the context of preparation for the European Qualifying Exam. Taught by: Ton Sterken (ex-DeltaPatents, Eindhoven); Lex van Wijk (DeltaPatents, Eindhoven); Dr. Cees Mulder (UM)

#### Course objectives

At the end of this course, the student is conversant with issues concerning claim categories, disclosure and clarity of patent claims, as well as the influence of prior art on the patentability of claims, the interpretation of claims and infringement. The students learn to draft patent claims after assessing the invention and the prior art while taking into account novelty, inventive step and clarity. The students learn to use the problem-solution approach.

#### Recommended reading

Standard literature plus additional materials.

### LAW5031

#### Period 3

4 Jan 2021

29 Jan 2021

[Print course description](#)

#### ECTS credits:

2.0

#### Coordinator:

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Lecture(s), PBL, Assignment(s)

#### Assessment methods:

Assignment

## Faculty of Law

# Patent Law I

## Full course description

This course covers the functioning of the patent system, the protection of trade secrets as a means of providing incentives for innovation and the creation of a market for solutions to technical problems. The issue of patentability, scope of protection, infringement, defences to infringement and limitations will be covered in the context of the European Patent Convention and national legal systems, including the US. Furthermore, case law from the European Patent Office Technical Boards and national legal systems, including the US, will be covered. As such the prime focus of this course is substantive patent law (Arts. 52-57 EPC) and an introduction to patent litigation. Taught by: Dr. Bart van Wezenbeek (V.O. Patents & Trademarks, The Hague); Yannis Skulikaris (European Patent Office, The Hague); Dr. Cees Mulder (UM)

## Course objectives

At the end of this course, the student can place the European Patent Convention in an international and national perspective, is able to describe the role and function of international institutions (EPO, USPTO) and instruments (PC, PLT, PCT, TRIPS, EPC, US Patent Act, EC Directives and Regulations, America Invents Act), will be conversant with concepts such as priority, novelty, inventive step and technical applicability and is able to take the first steps in terms of patent litigation (claim interpretation and scope of protection).

## Recommended reading

Standard literature plus additional materials (e.g. Judge Rich - His Life and Legacy Revisited'; Brinkhof, 'Extent of Protection: Are the National Differences Eliminated?'; Brinkhof and Hermans, 'Patent Law in the Netherlands'; etc.)

## LAW5016

### Period 2

26 Oct 2020

18 Dec 2020

[Print course description](#)

### ECTS credits:

5.0

### Coordinator:

[A.W.J. Kamperman Sanders](#)

### Teaching methods:

Lecture(s), PBL, Assignment(s)

### Assessment methods:

Assignment, Written exam

## Faculty of Law

## Patent Law II

### Full course description

This course focuses on strategic uses of patents and on patent litigation practice in various EPC member states. In this sense claim interpretation, the issue of equivalents and counterclaims will be addressed. In addition, attention will be devoted to global patent strategies and comparative issues in relation to US patent drafting, claim interpretation and litigation. Taught by: Dr. Klaus Haft (ROKH IP, Düsseldorf); Prof. Willem Hoyng (Tilburg U.; Hoyng Monnegier, Amsterdam); Prof. Anselm Kamperman Sanders (UM); Dr. Cees Mulder (UM)

### Course objectives

At the end of this course, the student can place the European Patent Convention in relation to national law of various EPC member states in terms of claim interpretation, direct and indirect patent infringement, and strategic considerations in terms of litigation practice in Europe, and is able to identify the major differences with US practice. Equally the student has become conversant with concepts such as discovery in the US, and is able to write a brief/argue a mock trial on a case involving a claim for invalidity. A mock trial will be offered during the course.

### Recommended reading

Standard literature plus additional materials (e.g.; Adelman, 'Claim Interpretation ad the Festo Case; Brinkhof, 'Patent Claim Interpretation – An Introduction'; Hoyng, 'Equivalents in Europe'; Mohri, 'Repair and Recycle as Direct Patent Infringement'; Heath, 'Repair and Refill as Indirect Patent Infringement'; etc.)

## LAW5018

### Period 4

1 Feb 2021

2 Apr 2021

[Print course description](#)

### ECTS credits:

3.0

### Coordinator:

[A.W.J. Kamperman Sanders](#)

### Teaching methods:

Lecture(s), PBL, Assignment(s), Skills

### Assessment methods:

Assignment, Participation, Written exam

### Faculty of Law

## Principles of Intellectual and Industrial Property Law

## Full course description

This course focuses on the principles of intellectual and industrial property law as a means to provide incentives to creativity and innovation and to regulate the market. It also traces the development of intellectual property law from an instrument of national innovation policy to a global trade issue. International instruments such as the Paris Convention, PCT, TRIPS, and parallel imports will be covered and their basic principles of territoriality, national treatment, priority and most favoured nation treatment are addressed. In addition, issues of enforcement, procedural issues, civil procedures, and criminal sanctions will be discussed in the context of international obligations and the creation of the European common market. Taught by: Prof. Dick van Engelen (U. of Utrecht, Ventoux Lawyers); Prof. Anselm Kamperman Sanders (UM); and Dr. Cees Mulder (UM)

## Course objectives

At the end of this course, the student can place intellectual and industrial property rights in an international and national perspective, is able to describe the role and function of international institutions (WIPO, WTO, European Institutions) and instruments (PC, PCT, TRIPS, EC Directives and Regulations), will be conversant with concepts such as national treatment, priority and independence of rights and is able to write a brief/argue a mock trial on a case involving enforcement, procedural issues, civil procedures, and/or criminal sanctions. A mock trial will be offered during the course.

## Recommended reading

Standard literature plus additional materials (e.g. Lévêque/Ménière, 'The Economics of Patents and Copyright'; J. Brinkhof, 'Patent Claim Interpretation - An Introduction'; W. Hoyng, 'Equivalents in Europe', etc.)

### LAW5013

#### Period 1

31 Aug 2020

23 Oct 2020

[Print course description](#)

#### ECTS credits:

5.0

#### Coordinator:

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Assignment(s), PBL, Skills, Lecture(s)

#### Assessment methods:

Assignment, Oral exam, Written exam

## Faculty of Law

# Copyright and Related Rights

## Full course description

This course covers the copyright and related rights in a comparative context, focussing not only on the EU and its member states, but also on the US copyright practice. The course has a twofold focus:

first, it addresses the protection of traditional literary and artistic works and the rights related to copyright, and second, it sets the scene for industry-specific applications of copyright in multimedia, software, database and design industries. Students will become familiar with international instruments such as the Berne Convention, the WIPO Copyright, and the WIPO Performances and Phonograms Treaty and their impact on the European common market. Taught by: Prof. Estelle Derclaye (U. of Nottingham), Prof. Antoon Quaedvlieg (Radboud U. Nijmegen); Dalindyebo Shabalala (UM)

## Course objectives

At the end of this course, the student can place copyright and related rights in an international and national perspective, is able to describe the role and function of international institutions (WIPO, WTO, European Institutions) and instruments (BC, WIPO Copyright Treaties, EC Directives and Regulations), knows the major difference between the copyright and droit d'auteur systems, will be conversant with concepts such as national treatment, the absence of formalities, and the works catalogue, and is able to write, argue and present on these issues in the context of performance and industrial copyright works (databases, software, etc.).

## Recommended reading

Standard literature plus additional materials (e.g. Lévêque/Ménière, 'The Economics of Patents and Copyright'; Derclaye, 'Databases Sui Generis Right: Should we adopt the spin off theory'; Kamperman Sanders, 'Limits to database protection: Fair use and scientific research exemptions'; Anderman, 'Microsoft v Commission and the Interoperability Issue'; etc.)

### LAW5014

#### Period 1

31 Aug 2020

23 Oct 2020

[Print course description](#)

#### ECTS credits:

5.0

#### Instruction language:

English

#### Coordinators:

[A.B. Quintela Ribeiro Neves Ramalho](#)

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Lecture(s), PBL, Assignment(s)

#### Assessment methods:

Written exam, Assignment

Faculty of Law

**Law of Trade Marks, Geographical Indications and**

# Unfair Competition

## Full course description

This course covers the principles of economic market regulation under trade mark law, unfair competition law and geographical indications. In this course, we first focus on the registration and protection of marks under European Union and national trade mark systems. You will be introduced to the pertinent concepts of trade mark law. Finally, the Madrid Agreement and its relationship with the European systems will be discussed.

In a second part, the regulatory framework of the law of unfair competition and the tort of passing off will be placed in the context of harmonisation of international norms. You will be introduced to what unfair competition means and why this area of law is relevant in the context of IP, in particular for trade marks. You will get acquainted with general principles before being exposed to national system of protecting unfair competition.

Finally, we will also cover the protection of geographical indications of origin. We will study the rationale of GI protection, scope of protection and in particular its relationship with trade mark law. You will then become familiar with the international and the European framework of GI protection.

Taught by: Dr. Anke Moerland (UM), Prof. Anselm Kamperman Sanders (UM)

## Course objectives

At the end of this course, the student

- can place trade marks, geographical indications and the law of unfair competition in an international and national perspective
- is able to critically assess the rationale of trade mark, geographical indication and unfair competition protection
- can describe the role and function of international institutions (WIPO, WTO, EUIPO) and instruments (PC, Madrid Agreement and Protocol and Lisbon Agreement, EC Directives and Regulations),
- will be conversant with concepts such as absolute and relative grounds, confusion, misappropriation and dilution, and
- is able to write, argue and present on these issues in the context of international protection of (well-known) marks and/or geographical indications of origin.

## Recommended reading

- Blakeney, M. (January 01, 2014). The Registration of Geographical Trade Marks in Europe. *International Trade Law & Regulation*, 20, 1, 1-12.
- Christie/Gare, *Blackstone's Statutes on Intellectual Property*, 14th Edition (Oxford University Press) (Links to an external site.)
- Gragnani, M. (2012). The law of geographical indications in the EU. *Journal of Intellectual Property Law and Practice*, 7, 4, 271-282.
- Kamperman Sanders, A. (2013). Unfair Competition: Complementary or Alternative to Intellectual Property in the EU? In: *Constructing European Intellectual Property : Achievements and New Perspectives*, 329-339.
- Kamperman Sanders, A. (2018), Unjustified threats and the repression of unfair competition, In Heath, C., Kamperman Sander, A., & Moerland, A. (2018). *Intellectual property rights as obstacles to legitimate trade?*.
- Ladas, S. P. (1975). *Patents, trademarks, and related rights: National and international protection*.

Cambridge, MA: Harvard University Press.

- Moerland, A. (2020), 'New Trade Mark Uses in the Fourth Industrial Revolution: Virtual and Augmented Realities (Links to an external site.)', in: Heath, C., Kamperman Sanders A. and Moerland A. (Eds.), Intellectual Property Law and the Fourth Industrial Revolution (Links to an external site.), IEEM International Intellectual Property Series vol. 11, Wolters Kluwer, p. 163 - 198
- Moerland (2019), 'Geographical indications and innovation: What is the connection (Links to an external site.)?', in: J. Drexl and A. Kamperman Sanders, The Innovation Society and Intellectual Property (Links to an external site.) (European Intellectual Property Institutes Network series, Edward Elgar), p. 59 - 85.
- Schechter, F. I. (1927). The Rational basis of trademark protection. Cambridge: Harvard Law Review Association
- Tritton, G. (2018). Tritton on intellectual property in Europe, 5th edition, chapter 3

## LAW5015

### Period 2

26 Oct 2020

18 Dec 2020

[Print course description](#)

### ECTS credits:

5.0

### Coordinators:

[A.W.J. Kamperman Sanders](#)

A. Moerland

### Teaching methods:

Lecture(s), PBL, Assignment(s)

### Assessment methods:

Assignment, Written exam

## Faculty of Law

# Copyright and Designs

## Full course description

This course covers aspects ranging from modern and digital copyright to the protection and creation of a product market for traditional knowledge and designs. Due to a focus on global markets, the emphasis lies on the management of copyright and design in a globalising economy through traditional means, such as the role and function of collecting rights societies, the role of digital signatures and digital protection mechanisms, and design protection for the purpose of stimulating both high-tech and traditional industries. In this context cross-pollination with the course on Competition Law, IP Licensing and Portfolio Management can be achieved. Taught by: Prof. Alison Firth (U. Newcastle, U. Surrey (Emeritus), Barrister London); Dalindyabo Shabalala (UM)

## Course objectives

At the end of this course, the student can place design rights in an international and national perspective, is able to describe the role and function of international institutions (WIPO, WTO, OHIM) and instruments (PC, BC, Washington Treaty, TRIPS, Locarno, Hague Agreement, EC Directives and Regulations), knows how design rights interface with copyright protection, will be conversant with

concepts such as management of copyright and design, collecting societies and is able to write, argue and present on these issues in the context of competition policy (spares, DRM, TPM, Creative Commons, etc.)

## LAW5019

### Period 5

12 Apr 2021

11 Jun 2021

[Print course description](#)

### ECTS credits:

5.0

### Coordinator:

[A.W.J. Kamperman Sanders](#)

### Teaching methods:

Lecture(s), PBL, Assignment(s)

### Assessment methods:

Assignment, Written exam

Specialisation courses

## IPKM LLM Modules

Faculty of Law

## Comparative IP Litigation

### Full course description

This course is specific to the LLM track and provides an insight to the theory and practice of IP litigation in major European jurisdictions. Students will be offered an insight into the various litigation strategies, while taking into consideration rules on jurisdiction, procedure, evidence, and pleadings in cross-border infringement actions that are typical to the enforcement of intellectual property rights. This course is taught by IP specialists from the major European jurisdictions. Taught by: Thomas Schmitz (ROKH IP, Düsseldorf); Giovanni Casucci (Bardehle Pagenberg, Milan); Prof. Willem Hoyng (Tilburg U., Hoyng Monnegier Amsterdam); Guy Tritton (Hogarth Chambers, London)

### Course objectives

At the end of this course, the student is knowledgeable about various litigation practices and is able to set up a (cross-border) litigation strategy for Europe.

### Recommended reading

Standard literature plus additional materials (e.g. Marshall, 'The Enforcement of Patent Rights in Germany'; Tritton, 'Interim Remedies in Intellectual Property Cases'; Tritton, 'Interim Remedies in the United Kingdom and the EU'; 'UK Patent Court Guide'; etc.)

## LAW5027



**Period 4**

1 Feb 2021

2 Apr 2021

[Print course description](#)

**ECTS credits:**

3.0

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

**Teaching methods:**

Lecture(s), PBL, Assignment(s)

**Assessment methods:**

Assignment, Written exam

**Faculty of Law**

# Technology Transfer and Transaction Practice

## Full course description

This module foremost covers the strategic considerations and practical contractual business arrangements for technology transfer and franchising, but also places these in the context of the deeper-rooted policies that drive innovation and economic growth in the wider sphere of EU, WTO and WIPO development objectives. Taught by: Prof. Meir Pugatch (UM, Haifa U., Pugatch Concilium)

## Course objectives

At the end of this course, the student is conversant with topics such as negotiation strategies involving intellectual property and valorisation of knowledge. There will be role-plays during the course.

## Recommended reading

Standard literature

### LAW5029

**Period 5**

12 Apr 2021

11 Jun 2021

[Print course description](#)

**ECTS credits:**

3.0

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

**Teaching methods:**

Lecture(s), Skills

**Assessment methods:**

Oral exam

Faculty of Law

## Trade Marks, Copyright and Designs

### Full course description

This course integrates various aspects of trade marks, copyright and design protection in an interdisciplinary and comparative perspective, especially where it concerns litigation practice in various EU member states, and at Community level. When contrasting national systems with the OHIM system, the EC enforcement directive will also be covered and placed in the context of national 'anomalies' and procedural issues surrounding practical litigation in trans-border disputes involving trade marks, copyright, design rights. Taught by: Thomas Schmitz (ROKH IP, Düsseldorf); Giovanni Casucci (Bardehle Pagenberg, Milan); Guy Tritton (Hogarth Chambers, London) Prof. Anselm Kamperman Sanders (UM)

### Course objectives

At the end of this course, the student is knowledgeable about various litigation practices and procedural issues involving trade marks, copyright and design cases.

### Recommended reading

Standard literature plus additional materials (e.g. Tritton, 'Copyright and Designs in the United Kingdom'; Firth, 'Repairs, Interconnections and Consumer Welfare in the Field of Design'; Casucci, 'How to protect your IP at trade fairs'; etc.)

## LAW5017

### Period 4

1 Feb 2021

2 Apr 2021

[Print course description](#)

### ECTS credits:

3.0

### Coordinators:

[A.B. Quintela Ribeiro Neves Ramalho](#)

[A.W.J. Kamperman Sanders](#)

### Teaching methods:

Lecture(s), Assignment(s), PBL

### Assessment methods:

Assignment, Written exam

Faculty of Law

## Global Policy and Economics of IP Law

## Full course description

This module deals with the economic underpinnings of the intellectual property system and the policies of the WIPO, WTO, and its main members (USA, EU, etc.) for the purposes of stimulating progress in the arts and sciences, innovation, fair trade, and the transfer of technology for the purpose of enhancing global economic growth and welfare. Taught by: Prof. Anselm Kamperman Sanders (UM)

## Course objectives

At the end of this course, the student is conversant in the economic rationale and underpinnings of intellectual property law and is able to evaluate policy choices in relation to intellectual property policy and (global) welfare issues.

## Recommended reading

Standard literature plus additional materials (e.g. Akerlof, 'The Market for Lemons'; Lévêque/Ménière, 'The Economics of Patents and Copyright'; Aziz, 'Linking Intellectual Property Rights in developing countries'; Ribeiro Dubowy, 'Subsidies Code, Trips Agreement, and Technological Development'; Schiappacasse, 'Intellectual Property Rights in China'; Naghavi, 'Strategic Intellectual Property Rights Policy and North-South Technology Transfer'; Xu, 'Trade, Patents and International Technology Diffusion'; Yang & Maskus, 'Intellectual Property Rights, Licensing and Innovation'; Branstetter et al., 'Do Stronger Intellectual Property Rights Increase International Technology Transfer?'; etc.)

### LAW5026

#### Period 3

4 Jan 2021

29 Jan 2021

[Print course description](#)

#### ECTS credits:

2.0

#### Coordinator:

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Lecture(s), PBL, Skills

#### Assessment methods:

Assignment, Written exam

## Faculty of Law

# IP Enforcement and Procedure

## Full course description

This module deals with the intricacies of cross-border IP litigation and border control. Students are exposed to enforcement practice in the EU, issues of private international law, and the Enforcement Directive. The course serves as a precursor to the Comparative IP Litigation course later in the year. Taught by: Frank Eijvogels (Hoyng Monnegier Amsterdam)

## Course objectives

At the end of this course, the student is conversant with the European rules on cross-border litigation and (border) enforcement.

## Recommended reading

Standard literature plus additional materials (e.g. Eijvogels & Hoyng, 'Nokia v HMRC and determination of infringement in matters governed by Regulation 1383/2003'; Cuming, et al., 'Enforcement of Intellectual Property Rights in Dutch, English and German Civil Procedure'; etc.)

### LAW5028

#### Period 1

1 Sep 2020

23 Oct 2020

[Print course description](#)

#### ECTS credits:

3.0

#### Coordinators:

T.C.J.A. van Engelen

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Lecture(s), PBL

#### Assessment methods:

Assignment, Written exam

Elective courses

## IPKM Electives

Faculty of Law

## Competition Law, IP Licensing and Portfolio Management

### Full course description

This course covers all aspects of the interface between intellectual property and competition law. Proprietary and non-proprietary standards are to a large extent dictated by IP licensing regimes that allow commercial and non-commercial actors to manage their IP portfolio. This is true for software (proprietary or open source), media and database products, design features of industrial and consumer products, and patents covering key technology in inter ICT industries. The interface between IP and competition law will be set in the context of the WTO (compulsory licensing), EC competition law, and the US (antitrust law). Taught by: Thomas Graf (Cleary Gottlieb, Brussels)

## Course objectives

At the end of this course, the student is familiar with the interface between intellectual property law, the role of the EC Commission and the FTC as competition authorities, and is conversant with concepts such as compulsory licensing, standards and FRAND

## Recommended reading

Standard literature plus additional materials (e.g.; Chapatte, 'FRAND Commitments -- The Case for Antitrust Intervention'; Geradin & Rato, 'Can Standard Setting Lead To Exploitative Abuse?'; Dolmans, 'A Tale of Two Tragedies -- A Plea For Open Standards, And Some Comments On The RAND Report'; etc.)

### LAW5020

#### Period 5

12 Apr 2021

11 Jun 2021

[Print course description](#)

#### ECTS credits:

2.0

#### Coordinator:

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Lecture(s), PBL, Assignment(s)

#### Assessment methods:

Assignment

## Faculty of Law

# Intellectual Property in Asia

## Full course description

This module covers the substantive and procedural aspects of IP protection (patent, trade mark, copyright and competition law) in Asia. As such the module highlights the differences with the European system and presents alternative solutions or problems in a comparative setting. Taught by: experts from Asia (i.e. Japan or Greater China)

## Course objectives

At the end of this course, the student is familiar with the most important aspects of intellectual property policy, law and practice in the Asia and is conversant with the most recent developments and legislative initiatives.

## Recommended reading

Standard literature plus additional materials on an Asian jurisdiction (i.e. Japan or Greater China)

### LAW5047

**Period 3**

4 Jan 2021

29 Jan 2021

[Print course description](#)

**ECTS credits:**

3.0

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

**Teaching methods:**

Lecture(s), PBL, Assignment(s)

**Assessment methods:**

Assignment

**Faculty of Law**

# Entrepreneurship, IP Management and Valorisation

## Full course description

This module covers of the complete idiom of regulation involving valorization of knowledge and IP management; innovation systems (national, emerging, international), R&D, government-university, university-business, entrepreneurship (start-ups, spin-out, spin-in, technology transfer), IP markets, acquisition, maintenance, enforcement and value creation, diffusion and social returns. In particular, the course focuses on new dimensions in innovation law, policy, economics and management. Taught by: Prof. Jan Cobbenhagen (UM); Dr. Wyanand Bodewes (UM); Severin de Wit (IPEG, The Hague); Malte Köllner (Köllner Patentanwälte, Frankfurt); Prof. Meir Pugatch (UM, Haifa U., Pugatch Concilium)

## Course objectives

At the end of this course, the student is familiar with the most important aspects of entrepreneurship, intellectual property strategy, management, technology transfer and bridging the valley of death, and is comfortable with taking a role in representing the interests of R&D firms or individual researchers in government-industry, university- business and other technology transfer relations. There will be role plays during the course.

## Recommended reading

Standard literature plus additional materials (e.g.; Amit and Zott, 'Value creation in e-business'; Magretta, 'Why business models matter', Shane, ' Technological Opportunities and Firm Creation'; Shane, 'Prior Knowledge and the Discovery of Entrepreneurial Opportunities'; Zott, 'The Business Model: Recent Developments and Future Research'; Somaya, Teece, Wakeman, 'Innovation in Multi-Invention Contexts'; Conley and Orozco, 'Intellectual Property - The Ground Rules'; Yoffie, 'Intellectual Property and Strategy'; etc.)

## LAW5036

**Period 5**

12 Apr 2021

11 Jun 2021

[Print course description](#)

**ECTS credits:**

5.0

**Instruction language:**

English

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

**Teaching methods:**

Lecture(s), PBL, Assignment(s), Skills

**Assessment methods:**

Assignment

**Faculty of Law**

## **IPKM/EIPIN Honours Programme**

### **LAW5048**

**Year**

1 Sep 2020

31 Aug 2021

[Print course description](#)

**ECTS credits:**

2.0

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

**Faculty of Law**

## **Managing and Financing IP**

### **Full course description**

This module deals with the mastering of the IP lifecycle and highlights issues such as tax, accounting, legal planning, and the valuation, migration, and extinction of intellectual and industrial property rights. Taught by: Tom Wallyn (PWC Brussels); Koen de Grave (PWC Brussels)

### **Course objectives**

At the end of this course, the student is conversant with topics such as taxation, accounting, legal planning, and the valuation, migration, and extinction of intellectual and industrial property rights.

## Recommended reading

Standard literature, esp. Smits & Verlinden, Mastering the Intellectual Property Life Cycle: A global perspective on the tax-efficient management of IP rights.

### LAW5030

#### Period 5

12 Apr 2021

11 Jun 2021

[Print course description](#)

#### ECTS credits:

2.0

#### Coordinators:

T.C.J.A. van Engelen

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Lecture(s), PBL, Assignment(s)

#### Assessment methods:

Assignment

## Faculty of Law

# Annual IEEM IP Seminar and Professional Update, Macau

## Full course description

Since 2000 the Institute for European Studies of Macao has been organizing every year a two-day seminar on a wide range of topical Intellectual Property Law issues. The seminars have attracted to Macau some of the best experts in the field and the papers presented there have been published in book-form by Kluwer and Hart Publishing. IP Master Classes offer the opportunity to learn from internationally renowned expert speakers in the IP seminar about a particular sub-discipline of intellectual property law. Classes are offered in an intensive Socratic format and include the opportunity to argue mock trials. Taught by: Prof. Anselm Kamperman Sanders (UM) and invited speakers

## Course objectives

At the end of this course, the student is able to critically appraise international intellectual property law and practice, and is able to write a brief/argue a mock trial on a case involving a wide range of intellectual property questions.

## Recommended reading

Standard literature plus additional materials from the IEEM IP Book Series.

### LAW5025

#### Period 2



26 Oct 2020

18 Dec 2020

[Print course description](#)

**ECTS credits:**

3.0

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

**Teaching methods:**

Skills, Training(s)

**Assessment methods:**

Oral exam

**Faculty of Law**

## Intellectual Property in the USA

### Full course description

This module covers the substantive and procedural aspects of IP protection (patent, trade mark, copyright and competition law) in the USA. As such the module highlights the differences with the European system and presents alternative solutions or problems in a comparative setting. Taught by: Frederick Frei (Andrews Kurth, Washington); Sean Wooden (Andrews Kurth, Washington)

### Course objectives

At the end of this course, the student is familiar with the most important aspects of intellectual property policy, law and practice in the USA and is conversant with the most recent developments and legislative initiatives.

### Recommended reading

Standard literature plus additional materials (e.g.; Frei and Wooden, 'Inequitable Conduct Claims'; Frei, 'Bilski v. Kapos', Frei, 'Patent Misuse'; etc.)

## LAW5046

**Period 5**

12 Apr 2021

11 Jun 2021

[Print course description](#)

**ECTS credits:**

3.0

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

**Teaching methods:**

Lecture(s), PBL, Assignment(s)

**Assessment methods:**

Assignment

Faculty of Law

## IPKM Mock Trial Competition

### LAW5037

**Year**

1 Sep 2020

31 Aug 2021

[Print course description](#)

**ECTS credits:**

2.0

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

Faculty of Law

## Plant Variety Protection and Biotechnology

### LAW5049

**Period 3**

4 Jan 2021

29 Jan 2021

[Print course description](#)

**ECTS credits:**

3.0

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

**Teaching methods:**

PBL

**Assessment methods:**

Assignment

Faculty of Law

## Intensive on EU Trade Marks and Community Designs

## **LAW5050**

### **Period 3**

4 Jan 2021

29 Jan 2021

[Print course description](#)

### **ECTS credits:**

3.0

### **Instruction language:**

English

### **Coordinator:**

[A.W.J. Kamperman Sanders](#)

Thesis

Core courses

# Intellectual Property Law and Knowledge Management MSc

## IPKM Common Core Courses

Faculty of Law

### EPC Claim Interpretation

#### Full course description

This course is specific to the MSc track and provides an insight to the theory and practice of drafting and interpreting patent claims. Students will be offered an insight into the translation of technical specifications in a patent application and the tools to draft a patent application that offers the inventor maximal patent protection for his invention within the framework of the European Patent Convention and in the context of preparation for the European Qualifying Exam. Taught by: Ton Sterken (ex-DeltaPatents, Eindhoven); Lex van Wijk (DeltaPatents, Eindhoven); Dr. Cees Mulder (UM)

#### Course objectives

At the end of this course, the student is conversant with issues concerning claim categories, disclosure and clarity of patent claims, as well as the influence of prior art on the patentability of claims, the interpretation of claims and infringement. The students learn to draft patent claims after assessing the invention and the prior art while taking into account novelty, inventive step and clarity. The students learn to use the problem-solution approach.

#### Recommended reading

Standard literature plus additional materials.

### LAW5031

#### Period 3

4 Jan 2021

29 Jan 2021

[Print course description](#)

#### ECTS credits:

2.0

#### Coordinator:

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Lecture(s), PBL, Assignment(s)

#### Assessment methods:

Assignment

## Faculty of Law

# Patent Law I

## Full course description

This course covers the functioning of the patent system, the protection of trade secrets as a means of providing incentives for innovation and the creation of a market for solutions to technical problems. The issue of patentability, scope of protection, infringement, defences to infringement and limitations will be covered in the context of the European Patent Convention and national legal systems, including the US. Furthermore, case law from the European Patent Office Technical Boards and national legal systems, including the US, will be covered. As such the prime focus of this course is substantive patent law (Arts. 52-57 EPC) and an introduction to patent litigation. Taught by: Dr. Bart van Wezenbeek (V.O. Patents & Trademarks, The Hague); Yannis Skulikaris (European Patent Office, The Hague); Dr. Cees Mulder (UM)

## Course objectives

At the end of this course, the student can place the European Patent Convention in an international and national perspective, is able to describe the role and function of international institutions (EPO, USPTO) and instruments (PC, PLT, PCT, TRIPS, EPC, US Patent Act, EC Directives and Regulations, America Invents Act), will be conversant with concepts such as priority, novelty, inventive step and technical applicability and is able to take the first steps in terms of patent litigation (claim interpretation and scope of protection).

## Recommended reading

Standard literature plus additional materials (e.g. Judge Rich - His Life and Legacy Revisited'; Brinkhof, 'Extent of Protection: Are the National Differences Eliminated?'; Brinkhof and Hermans, 'Patent Law in the Netherlands'; etc.)

## LAW5016

### Period 2

26 Oct 2020

18 Dec 2020

[Print course description](#)

### ECTS credits:

5.0

### Coordinator:

[A.W.J. Kamperman Sanders](#)

### Teaching methods:

Lecture(s), PBL, Assignment(s)

### Assessment methods:

Assignment, Written exam

## Faculty of Law

## Patent Law II

### Full course description

This course focuses on strategic uses of patents and on patent litigation practice in various EPC member states. In this sense claim interpretation, the issue of equivalents and counterclaims will be addressed. In addition, attention will be devoted to global patent strategies and comparative issues in relation to US patent drafting, claim interpretation and litigation. Taught by: Dr. Klaus Haft (ROKH IP, Düsseldorf); Prof. Willem Hoyng (Tilburg U.; Hoyng Monnegier, Amsterdam); Prof. Anselm Kamperman Sanders (UM); Dr. Cees Mulder (UM)

### Course objectives

At the end of this course, the student can place the European Patent Convention in relation to national law of various EPC member states in terms of claim interpretation, direct and indirect patent infringement, and strategic considerations in terms of litigation practice in Europe, and is able to identify the major differences with US practice. Equally the student has become conversant with concepts such as discovery in the US, and is able to write a brief/argue a mock trial on a case involving a claim for invalidity. A mock trial will be offered during the course.

### Recommended reading

Standard literature plus additional materials (e.g.; Adelman, 'Claim Interpretation ad the Festo Case; Brinkhof, 'Patent Claim Interpretation – An Introduction'; Hoyng, 'Equivalents in Europe'; Mohri, 'Repair and Recycle as Direct Patent Infringement'; Heath, 'Repair and Refill as Indirect Patent Infringement'; etc.)

## LAW5018

### Period 4

1 Feb 2021

2 Apr 2021

[Print course description](#)

### ECTS credits:

3.0

### Coordinator:

[A.W.J. Kamperman Sanders](#)

### Teaching methods:

Lecture(s), PBL, Assignment(s), Skills

### Assessment methods:

Assignment, Participation, Written exam

### Faculty of Law

## Principles of Intellectual and Industrial Property Law

## Full course description

This course focuses on the principles of intellectual and industrial property law as a means to provide incentives to creativity and innovation and to regulate the market. It also traces the development of intellectual property law from an instrument of national innovation policy to a global trade issue. International instruments such as the Paris Convention, PCT, TRIPS, and parallel imports will be covered and their basic principles of territoriality, national treatment, priority and most favoured nation treatment are addressed. In addition, issues of enforcement, procedural issues, civil procedures, and criminal sanctions will be discussed in the context of international obligations and the creation of the European common market. Taught by: Prof. Dick van Engelen (U. of Utrecht, Ventoux Lawyers); Prof. Anselm Kamperman Sanders (UM); and Dr. Cees Mulder (UM)

## Course objectives

At the end of this course, the student can place intellectual and industrial property rights in an international and national perspective, is able to describe the role and function of international institutions (WIPO, WTO, European Institutions) and instruments (PC, PCT, TRIPS, EC Directives and Regulations), will be conversant with concepts such as national treatment, priority and independence of rights and is able to write a brief/argue a mock trial on a case involving enforcement, procedural issues, civil procedures, and/or criminal sanctions. A mock trial will be offered during the course.

## Recommended reading

Standard literature plus additional materials (e.g. Lévêque/Ménière, 'The Economics of Patents and Copyright'; J. Brinkhof, 'Patent Claim Interpretation - An Introduction'; W. Hoyng, 'Equivalents in Europe', etc.)

### LAW5013

#### Period 1

31 Aug 2020

23 Oct 2020

[Print course description](#)

#### ECTS credits:

5.0

#### Coordinator:

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Assignment(s), PBL, Skills, Lecture(s)

#### Assessment methods:

Assignment, Oral exam, Written exam

## Faculty of Law

# Copyright and Related Rights

## Full course description

This course covers the copyright and related rights in a comparative context, focussing not only on the EU and its member states, but also on the US copyright practice. The course has a twofold focus:

first, it addresses the protection of traditional literary and artistic works and the rights related to copyright, and second, it sets the scene for industry-specific applications of copyright in multimedia, software, database and design industries. Students will become familiar with international instruments such as the Berne Convention, the WIPO Copyright, and the WIPO Performances and Phonograms Treaty and their impact on the European common market. Taught by: Prof. Estelle Derclaye (U. of Nottingham), Prof. Antoon Quaedvlieg (Radboud U. Nijmegen); Dalindyabo Shabalala (UM)

## Course objectives

At the end of this course, the student can place copyright and related rights in an international and national perspective, is able to describe the role and function of international institutions (WIPO, WTO, European Institutions) and instruments (BC, WIPO Copyright Treaties, EC Directives and Regulations), knows the major difference between the copyright and droit d'auteur systems, will be conversant with concepts such as national treatment, the absence of formalities, and the works catalogue, and is able to write, argue and present on these issues in the context of performance and industrial copyright works (databases, software, etc.).

## Recommended reading

Standard literature plus additional materials (e.g. Lévêque/Ménière, 'The Economics of Patents and Copyright'; Derclaye, 'Databases Sui Generis Right: Should we adopt the spin off theory'; Kamperman Sanders, 'Limits to database protection: Fair use and scientific research exemptions'; Anderman, 'Microsoft v Commission and the Interoperability Issue'; etc.)

### LAW5014

#### Period 1

31 Aug 2020

23 Oct 2020

[Print course description](#)

#### ECTS credits:

5.0

#### Instruction language:

English

#### Coordinators:

[A.B. Quintela Ribeiro Neves Ramalho](#)

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Lecture(s), PBL, Assignment(s)

#### Assessment methods:

Written exam, Assignment

Faculty of Law

**Law of Trade Marks, Geographical Indications and**



# Unfair Competition

## Full course description

This course covers the principles of economic market regulation under trade mark law, unfair competition law and geographical indications. In this course, we first focus on the registration and protection of marks under European Union and national trade mark systems. You will be introduced to the pertinent concepts of trade mark law. Finally, the Madrid Agreement and its relationship with the European systems will be discussed.

In a second part, the regulatory framework of the law of unfair competition and the tort of passing off will be placed in the context of harmonisation of international norms. You will be introduced to what unfair competition means and why this area of law is relevant in the context of IP, in particular for trade marks. You will get acquainted with general principles before being exposed to national system of protecting unfair competition.

Finally, we will also cover the protection of geographical indications of origin. We will study the rationale of GI protection, scope of protection and in particular its relationship with trade mark law. You will then become familiar with the international and the European framework of GI protection.

Taught by: Dr. Anke Moerland (UM), Prof. Anselm Kamperman Sanders (UM)

## Course objectives

At the end of this course, the student

- can place trade marks, geographical indications and the law of unfair competition in an international and national perspective
- is able to critically assess the rationale of trade mark, geographical indication and unfair competition protection
- can describe the role and function of international institutions (WIPO, WTO, EUIPO) and instruments (PC, Madrid Agreement and Protocol and Lisbon Agreement, EC Directives and Regulations),
- will be conversant with concepts such as absolute and relative grounds, confusion, misappropriation and dilution, and
- is able to write, argue and present on these issues in the context of international protection of (well-known) marks and/or geographical indications of origin.

## Recommended reading

- Blakeney, M. (January 01, 2014). The Registration of Geographical Trade Marks in Europe. *International Trade Law & Regulation*, 20, 1, 1-12.
- Christie/Gare, *Blackstone's Statutes on Intellectual Property*, 14th Edition (Oxford University Press) (Links to an external site.)
- Gragnani, M. (2012). The law of geographical indications in the EU. *Journal of Intellectual Property Law and Practice*, 7, 4, 271-282.
- Kamperman Sanders, A. (2013). Unfair Competition: Complementary or Alternative to Intellectual Property in the EU? In: *Constructing European Intellectual Property : Achievements and New Perspectives*, 329-339.
- Kamperman Sanders, A. (2018), Unjustified threats and the repression of unfair competition, In Heath, C., Kamperman Sander, A., & Moerland, A. (2018). *Intellectual property rights as obstacles to legitimate trade?*.
- Ladas, S. P. (1975). *Patents, trademarks, and related rights: National and international protection*.

Cambridge, MA: Harvard University Press.

- Moerland, A. (2020), 'New Trade Mark Uses in the Fourth Industrial Revolution: Virtual and Augmented Realities (Links to an external site.)', in: Heath, C., Kamperman Sanders A. and Moerland A. (Eds.), Intellectual Property Law and the Fourth Industrial Revolution (Links to an external site.), IEEM International Intellectual Property Series vol. 11, Wolters Kluwer, p. 163 - 198
- Moerland (2019), 'Geographical indications and innovation: What is the connection (Links to an external site.)?', in: J. Drexl and A. Kamperman Sanders, The Innovation Society and Intellectual Property (Links to an external site.) (European Intellectual Property Institutes Network series, Edward Elgar), p. 59 - 85.
- Schechter, F. I. (1927). The Rational basis of trademark protection. Cambridge: Harvard Law Review Association
- Tritton, G. (2018). Tritton on intellectual property in Europe, 5th edition, chapter 3

## LAW5015

### Period 2

26 Oct 2020

18 Dec 2020

[Print course description](#)

### ECTS credits:

5.0

### Coordinators:

[A.W.J. Kamperman Sanders](#)

A. Moerland

### Teaching methods:

Lecture(s), PBL, Assignment(s)

### Assessment methods:

Assignment, Written exam

## Faculty of Law

# Copyright and Designs

## Full course description

This course covers aspects ranging from modern and digital copyright to the protection and creation of a product market for traditional knowledge and designs. Due to a focus on global markets, the emphasis lies on the management of copyright and design in a globalising economy through traditional means, such as the role and function of collecting rights societies, the role of digital signatures and digital protection mechanisms, and design protection for the purpose of stimulating both high-tech and traditional industries. In this context cross-pollination with the course on Competition Law, IP Licensing and Portfolio Management can be achieved. Taught by: Prof. Alison Firth (U. Newcastle, U. Surrey (Emeritus), Barrister London); Dalindyebo Shabalala (UM)

## Course objectives

At the end of this course, the student can place design rights in an international and national perspective, is able to describe the role and function of international institutions (WIPO, WTO, OHIM) and instruments (PC, BC, Washington Treaty, TRIPS, Locarno, Hague Agreement, EC Directives and Regulations), knows how design rights interface with copyright protection, will be conversant with

concepts such as management of copyright and design, collecting societies and is able to write, argue and present on these issues in the context of competition policy (spares, DRM, TPM, Creative Commons, etc.)

## LAW5019

### Period 5

12 Apr 2021

11 Jun 2021

[Print course description](#)

### ECTS credits:

5.0

### Coordinator:

[A.W.J. Kamperman Sanders](#)

### Teaching methods:

Lecture(s), PBL, Assignment(s)

### Assessment methods:

Assignment, Written exam

Specialisation courses

## IPKM MSc Modules

Faculty of Law

## IP and Life Sciences

### Full course description

This module covers validation of knowledge and strategic use of patents in the life sciences. This entails an analysis of validity and infringement of patents covering pharmaceuticals or biotechnological inventions, as well as an introduction to ethical and practical considerations in respect of clinical trials and inventive activity in research institutions. Taught by: Prof. David Townend (UM)

### Course objectives

At the end of this course, the student is conversant with issues concerning pharmaceuticals or biotechnological inventions, as well as an introduction to ethical and practical considerations in respect of clinical trials and inventive activity in research institutions.

### Recommended reading

Literature: Standard literature plus additional materials (e.g. Milius & Townend, 'Thoughts on the Scope and Operation of Morality Clauses in Patent Law'; Hettinger, 'Justifying Intellectual Property'; Nuffield Council on Bioethics, 'The Ethics of Patenting DNA'; Hubbard, & Love, 'A New Trade Framework for Global Healthcare'; Hubbard, & Love, 'The Big Idea: Prizes to Stimulate R&D for New Medicines'; Love, 'De-linking R&D costs from Product Prices'; Stiglitz, 'Prizes, Not Patents'; etc.)

## LAW5032

### Period 1

31 Aug 2020

23 Oct 2020

[Print course description](#)

### ECTS credits:

2.0

### Coordinators:

[D.M.R. Townend](#)

[A.W.J. Kamperman Sanders](#)

### Teaching methods:

Lecture(s), PBL, Assignment(s)

### Assessment methods:

Assignment, Written exam

## Faculty of Law

# IP and Computer Science

## Full course description

This module covers the techniques of drafting and strategic use of patents, analysis of infringement and validity in the area of software and business methods. Attention will also be given to copyright protection and open source alternatives to proprietary systems. Taught by: Yannis Skulikaris (European Patent Office, The Hague)

## Course objectives

At the end of this course, the student is conversant with issues concerning the patentability of computer-implemented inventions and the protection of software and business methods.

## Recommended reading

Standard literature plus additional materials (e.g. Jacobs, 'Demystifying Copyright Infringement of Computer Software'; etc.)

## LAW5033

### Period 2

26 Oct 2020

18 Dec 2020

[Print course description](#)

### ECTS credits:

2.0

### Coordinator:

[A.W.J. Kamperman Sanders](#)

**Teaching methods:**

Lecture(s), PBL, Assignment(s)

**Assessment methods:**

Assignment, Written exam

**Faculty of Law**

## EPC Opposition

### Full course description

This module covers both the technical and legal aspects of raising opposition to (applications) for registration of patents before the European Patent Office. Taught by: Dr. Cees Mulder (UM)

### Course objectives

At the end of this course, the student, based on the knowledge obtained in earlier modules (in particular in relation to novelty and inventive step) is conversant with issues such as claim construction and substantive aspects of opposition. The student has knowledge concerning the procedural aspects of the opposition procedure as well as the substantive aspects of opposition including issues such as priority problems, prior use, interpretation of prior art from the perspective of the opponent. The student knows how to attack claims of a granted European patent by using claim construction and formulating reasoned attacks under novelty and inventive step.

### Recommended reading

Standard literature plus additional materials.

## LAW5035

**Period 5**

12 Apr 2021

11 Jun 2021

[Print course description](#)

**ECTS credits:**

2.0

**Instruction language:**

English

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

**Teaching methods:**

Lecture(s), Patient contact, Assignment(s)

**Assessment methods:**

Assignment

**Faculty of Law**

## EPC Claim Drafting

### Full course description

This module deals with the practical skills of drafting and interpreting patent claims in the fields of chemistry and mechanics in a comparative setting. This module is complimentary to the course on EPC claim drafting and interpretation, and highlights the differences between European and US practice. Taught by: Peter Verdonk (DeltaPatents, Eindhoven); Dean Gordon (ASML, Veldhoven)

### Course objectives

At the end of this course, the student has knowledge of the US Patent System from a historic perspective including the changes in relation to the American Invents Act. The student is conversant with issues concerning the principle differences between claim drafting in the USA as compared to Europe as well as the patent as a business tool, language considerations, statutory subject-matter, prior art under the first- inventor-to-file system and obviousness.

### Recommended reading

Standard literature plus additional materials.

#### **LAW5034**

##### **Period 4**

1 Feb 2021

2 Apr 2021

[Print course description](#)

##### **ECTS credits:**

4.0

##### **Coordinator:**

[A.W.J. Kamperman Sanders](#)

##### **Teaching methods:**

Lecture(s), PBL, PBL

##### **Assessment methods:**

Assignment

### Faculty of Law

## EPC Procedure

### Full course description

This module covers procedural aspects of the European Patent Convention and focuses on the application, acquisition, opposition, grant, and revocation of a European patent, while at the same time dedicating attention to the rules of procedure in litigation before the EPO and the interface with national procedures. Taught by: Dr. Cees Mulder (UM)

## Course objectives

At the end of this course, the student is familiar with all procedural aspects of the procedure before the European Patent Office including filing a European patent application, the European search report and search opinion; publication of the European patent application; substantive examination and grant of a European patent or refusal of the patent application. In addition, the entry of an international (PCT) application into the regional phase before the EPO is dealt with. Students are also made familiar with opposition to a granted European patent, limitation and revocation proceedings as well as the appeal procedure. Recent developments of the unitary EU Patent are included. The students will also be familiar with calculating time limits, fee payments and the available remedies under the EPC.

## Recommended reading

Standard literature plus additional materials including: Overview of the European Patent System (C. Mulder).

### LAW5022

#### Period 3

4 Jan 2021

29 Jan 2021

[Print course description](#)

#### ECTS credits:

2.0

#### Coordinator:

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Lecture(s), PBL, Assignment(s)

#### Assessment methods:

Assignment

Elective courses

## IPKM Electives

Faculty of Law

## Intellectual Property in Asia

### Full course description

This module covers the substantive and procedural aspects of IP protection (patent, trade mark, copyright and competition law) in Asia. As such the module highlights the differences with the European system and presents alternative solutions or problems in a comparative setting. Taught by: experts from Asia (i.e. Japan or Greater China)

## Course objectives

At the end of this course, the student is familiar with the most important aspects of intellectual property policy, law and practice in the Asia and is conversant with the most recent developments and legislative initiatives.

## Recommended reading

Standard literature plus additional materials on an Asian jurisdiction (i.e. Japan or Greater China)

### LAW5047

#### Period 3

4 Jan 2021

29 Jan 2021

[Print course description](#)

#### ECTS credits:

3.0

#### Coordinator:

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Lecture(s), PBL, Assignment(s)

#### Assessment methods:

Assignment

## Faculty of Law

# Entrepreneurship, IP Management and Valorisation

## Full course description

This module covers of the complete idiom of regulation involving valorization of knowledge and IP management; innovation systems (national, emerging, international), R&D, government-university, university-business, entrepreneurship (start-ups, spin-out, spin-in, technology transfer), IP markets, acquisition, maintenance, enforcement and value creation, diffusion and social returns. In particular, the course focuses on new dimensions in innovation law, policy, economics and management. Taught by: Prof. Jan Cobbenhagen (UM); Dr. Wyanand Bodewes (UM); Severin de Wit (IPEG, The Hague); Malte Köllner (Köllner Patentanwälte, Frankfurt); Prof. Meir Pugatch (UM, Haifa U., Pugatch Concilium)

## Course objectives

At the end of this course, the student is familiar with the most important aspects of entrepreneurship, intellectual property strategy, management, technology transfer and bridging the valley of death, and is comfortable with taking a role in representing the interests of R&D firms or individual researchers in government-industry, university- business and other technology transfer relations. There will be role plays during the course.



## Recommended reading

Standard literature plus additional materials (e.g.; Amit and Zott, 'Value creation in e-business'; Magretta, 'Why business models matter', Shane, 'Technological Opportunities and Firm Creation'; Shane, 'Prior Knowledge and the Discovery of Entrepreneurial Opportunities'; Zott, 'The Business Model: Recent Developments and Future Research'; Somaya, Teece, Wakeman, 'Innovation in Multi-Invention Contexts'; Conley and Orozco, 'Intellectual Property - The Ground Rules'; Yoffie, 'Intellectual Property and Strategy'; etc.)

### LAW5036

#### Period 5

12 Apr 2021

11 Jun 2021

[Print course description](#)

#### ECTS credits:

5.0

#### Instruction language:

English

#### Coordinator:

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Lecture(s), PBL, Assignment(s), Skills

#### Assessment methods:

Assignment

## Faculty of Law

# Competition Law, IP Licensing and Portfolio Management

## Full course description

This course covers all aspects of the interface between intellectual property and competition law. Proprietary and non-proprietary standards are to a large extent dictated by IP licensing regimes that allow commercial and non-commercial actors to manage their IP portfolio. This is true for software (proprietary or open source), media and database products, design features of industrial and consumer products, and patents covering key technology in inter ICT industries. The interface between IP and competition law will be set in the context of the WTO (compulsory licensing), EC competition law, and the US (antitrust law). Taught by: Thomas Graf (Cleary Gottlieb, Brussels)

## Course objectives

At the end of this course, the student is familiar with the interface between intellectual property law, the role of the EC Commission and the FTC as competition authorities, and is conversant with concepts such as compulsory licensing, standards and FRAND

## Recommended reading

Standard literature plus additional materials (e.g.; Chapatte, 'FRAND Commitments -- The Case for Antitrust Intervention'; Geradin & Rato, 'Can Standard Setting Lead To Exploitative Abuse?'; Dolmans, 'A Tale of Two Tragedies -- A Plea For Open Standards, And Some Comments On The RAND Report'; etc.)

### LAW5020

**Period 5**

12 Apr 2021

11 Jun 2021

[Print course description](#)

**ECTS credits:**

2.0

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

**Teaching methods:**

Lecture(s), PBL, Assignment(s)

**Assessment methods:**

Assignment

## Faculty of Law

# IPKM/EIPIN Honours Programme

### LAW5048

**Year**

1 Sep 2020

31 Aug 2021

[Print course description](#)

**ECTS credits:**

2.0

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

## Faculty of Law

# Managing and Financing IP

## Full course description

This module deals with the mastering of the IP lifecycle and highlights issues such as tax, accounting, legal planning, and the valuation, migration, and extinction of intellectual and industrial property rights. Taught by: Tom Wallyn (PWC Brussels); Koen de Grave (PWC Brussels)

## Course objectives

At the end of this course, the student is conversant with topics such as taxation, accounting, legal planning, and the valuation, migration, and extinction of intellectual and industrial property rights.

## Recommended reading

Standard literature, esp. Smits & Verlinden, Mastering the Intellectual Property Life Cycle: A global perspective on the tax-efficient management of IP rights.

### LAW5030

#### Period 5

12 Apr 2021

11 Jun 2021

[Print course description](#)

#### ECTS credits:

2.0

#### Coordinators:

T.C.J.A. van Engelen

[A.W.J. Kamperman Sanders](#)

#### Teaching methods:

Lecture(s), PBL, Assignment(s)

#### Assessment methods:

Assignment

## Faculty of Law

# Annual IEEM IP Seminar and Professional Update, Macau

## Full course description

Since 2000 the Institute for European Studies of Macao has been organizing every year a two-day seminar on a wide range of topical Intellectual Property Law issues. The seminars have attracted to Macau some of the best experts in the field and the papers presented there have been published in book-form by Kluwer and Hart Publishing. IP Master Classes offer the opportunity to learn from internationally renowned expert speakers in the IP seminar about a particular sub-discipline of intellectual property law. Classes are offered in an intensive Socratic format and include the opportunity to argue mock trials. Taught by: Prof. Anselm Kamperman Sanders (UM) and invited speakers

## Course objectives

At the end of this course, the student is able to critically appraise international intellectual property law and practice, and is able to write a brief/argue a mock trial on a case involving a wide range of intellectual property questions.

## Recommended reading

Standard literature plus additional materials from the IEEM IP Book Series.

### **LAW5025**

#### **Period 2**

26 Oct 2020

18 Dec 2020

[Print course description](#)

#### **ECTS credits:**

3.0

#### **Coordinator:**

[A.W.J. Kamperman Sanders](#)

#### **Teaching methods:**

Skills, Training(s)

#### **Assessment methods:**

Oral exam

## Faculty of Law

# Intellectual Property in the USA

## Full course description

This module covers the substantive and procedural aspects of IP protection (patent, trade mark, copyright and competition law) in the USA. As such the module highlights the differences with the European system and presents alternative solutions or problems in a comparative setting. Taught by: Frederick Frei (Andrews Kurth, Washington); Sean Wooden (Andrews Kurth, Washington)

## Course objectives

At the end of this course, the student is familiar with the most important aspects of intellectual property policy, law and practice in the USA and is conversant with the most recent developments and legislative initiatives.

## Recommended reading

Standard literature plus additional materials (e.g.; Frei and Wooden, 'Inequitable Conduct Claims'; Frei, 'Bilski v. Kapos', Frei, 'Patent Misuse'; etc.)

### **LAW5046**

#### **Period 5**

12 Apr 2021

11 Jun 2021

[Print course description](#)

#### **ECTS credits:**

3.0

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

**Teaching methods:**

Lecture(s), PBL, Assignment(s)

**Assessment methods:**

Assignment

Faculty of Law

## IPKM Mock Trial Competition

### LAW5037

**Year**

1 Sep 2020

31 Aug 2021

[Print course description](#)

**ECTS credits:**

2.0

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

Faculty of Law

## Plant Variety Protection and Biotechnology

### LAW5049

**Period 3**

4 Jan 2021

29 Jan 2021

[Print course description](#)

**ECTS credits:**

3.0

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

**Teaching methods:**

PBL

**Assessment methods:**

Assignment

Faculty of Law

# Intensive on EU Trade Marks and Community Designs

## LAW5050

**Period 3**

4 Jan 2021

29 Jan 2021

[Print course description](#)

**ECTS credits:**

3.0

**Instruction language:**

English

**Coordinator:**

[A.W.J. Kamperman Sanders](#)

Thesis

# Master Thesis Intellectual Property Law and Knowledge Management

Faculty of Law

## Legal English and Methodology

## LAW5091

**Period 1**

31 Aug 2020

23 Oct 2020

[Print course description](#)

**ECTS credits:**

0.0

**Instruction language:**

English

**Coordinators:**

[A.W.J. Kamperman Sanders](#)

A. Moerland

**Assessment methods:**

Final paper

## **Course objectives**

The student is able to autonomously formulate a legal research question at Master's level and to provide an answer to this question in a legally and linguistically correct and structured manner and with adequate references.

The student is able to collect and interpret relevant legal sources, and where necessary also social and scientific data, with the aim of formulating an opinion on a legal question. This opinion is based on the weighing of relevant legal and possibly societal or ethical aspects.

In answering the research question, the student is able to apply his/her knowledge and insight in such a way that this shows a professional approach to his/her work or profession.

The student demonstrates knowledge and understanding and is able to contribute to the development and/or application of original ideas, either within an academic or a professional context.

In this context, the student demonstrates in particular that(s)he has the required competences for substantiating and solving problems in the field.

The student equally demonstrates that (s)he has the ability to integrate knowledge and handle complexity, and formulate judgements even with respect to research questions that are new, in the sense that they have not yet been addressed widely or extensively in earlier publications, or interdisciplinary.

The student demonstrates that (s)he is capable of communicating his/her conclusions, and the knowledge and rationale underpinning these clearly and unambiguously to a scientific audience that mainly consists of lawyers but may include professionals from other fields.

The student demonstrates that (s)he possesses the research and writing skills necessary to carry out legal research autonomously either within an academic or within a professional context.

## **LAW5095**

### **Year**

1 Sep 2020

31 Aug 2021

[Print course description](#)

### **ECTS credits:**

6.0