

LAW408 Intellectual Property

School: School of Law and Society

2023 | Session 2

UniSC Sunshine Coast

**BLENDED
LEARNING**

Most of your course is on campus but you may be able to do some components of this course online.

Please go to usc.edu.au for up to date information on the teaching sessions and campuses where this course is usually offered.

1. What is this course about?

1.1. Description

This course examines key aspects of international and Australian intellectual property law. Topics will include copyright, patents, trade marks, designs, geographical indications and other related rights. The course also examines how intellectual property law balances interests (e.g. creativity, innovation, technological development, access, use), and current issues and emerging debates in intellectual property such as traditional knowledge, cultural heritage, food security and access to genetic resources.

1.2. How will this course be delivered?

ACTIVITY	HOURS	BEGINNING WEEK	FREQUENCY
BLENDED LEARNING			
Learning materials – There will be 2 hours of Learning Materials for each of the 6 key topics: introduction to intellectual property, copyright; patents; trade marks; other rights; and select issues	12hrs	Throughout teaching period (refer to Format)	Once Only
Seminar – 1 hour seminar, scheduled 2 times to guide students through their learning materials/assessment and integrate external guest presenters (and be recorded). This course is an intensive, run the week before O'Week.	2hrs	Pre-semester/trimester/session	Once Only
Tutorial/Workshop 1 – 5 hour workshop x 5 days. This is an intensive, run in the week before O'Week. There is 25 hours of workshops across the week.	25hrs	Pre-semester/trimester/session	Once Only

1.3. Course Topics

1. Introduction to Intellectual Property
2. Copyright
3. Trade Marks
4. Geographical Indications of Origin, Plant Breeders' Rights
5. Patent
6. Select Issues in Intellectual Property

2. What level is this course?

400 Level (Graduate)

Demonstrating coherence and breadth or depth of knowledge and skills. Independent application of knowledge and skills in unfamiliar contexts. Meeting professional requirements and AQF descriptors for the degree. May require pre-requisites where discipline specific introductory or developing knowledge or skills is necessary. Normally undertaken in the third or fourth full-time study year of an undergraduate program.

3. What is the unit value of this course?

12 units

4. How does this course contribute to my learning?

COURSE LEARNING OUTCOMES	GRADUATE QUALITIES
On successful completion of this course, you should be able to...	Completing these tasks successfully will contribute to you becoming...
1 Demonstrate advanced learning, understanding and critical thinking in intellectual property.	Knowledgeable Creative and critical thinker Empowered Engaged
2 Identify legal issues, apply legal reasoning and reach arguable conclusions in response to a broad range of events that reflect real life scenarios.	Creative and critical thinker Empowered
3 Work independently showing initiative and critical judgement.	Empowered
4 Clearly and coherently communicate research to others.	Empowered

5. Am I eligible to enrol in this course?

Refer to the [UniSC Glossary of terms](#) for definitions of “pre-requisites, co-requisites and anti-requisites”.

5.1. Pre-requisites

96 units and enrolled in any Law, Business or Creative Industries Program

5.2. Co-requisites

Not applicable

5.3. Anti-requisites

Not applicable

5.4. Specific assumed prior knowledge and skills (where applicable)

This course assumes knowledge of principles of law including the role of common law, legislation and precedent. It also assumes a general knowledge of international law and how it influences domestic law.

6. How am I going to be assessed?

6.1. Grading Scale

Standard Grading (GRD)

High Distinction (HD), Distinction (DN), Credit (CR), Pass (PS), Fail (FL).

6.2. Details of early feedback on progress

On day 5 of the intensive, the presentation and research essay will be discussed and reviewed by your peers.

6.3. Assessment tasks

DELIVERY MODE	TASK NO.	ASSESSMENT PRODUCT	INDIVIDUAL OR GROUP	WEIGHTING %	WHAT IS THE DURATION / LENGTH?	WHEN SHOULD I SUBMIT?	WHERE SHOULD I SUBMIT IT?
All	1	Oral	Individual	50%	15-minute oral presentation, to be recorded and submitted online.	Throughout teaching period (refer to Format)	Online Submission
All	2	Written Piece	Individual	50%	2,500 words.	Throughout teaching period (refer to Format)	Online Assignment Submission with plagiarism check

All - Assessment Task 1: Oral Presentation

GOAL:	To communicate your understanding of an area of intellectual property law.					
PRODUCT:	Oral					
FORMAT:	This is an oral presentation which will be done individually. It is due at the end of Orientation Week. It is to be recorded and submitted via Canvas. Examples may include a video or narrated PowerPoint presentation. The topics will be provided during the intensive week. You are also required to use technology to record and assist your presentation. Further information on how to structure and deliver your presentation will be provided in class and on Canvas.					
CRITERIA:	No.					Learning Outcome assessed
	1	Application of your knowledge				1 2 3
	2	Critical thinking, analysis and reasoning				1 2 3 4
	3	Structure of the presentation				1 2
	4	Communication				4
	5	Presentation and referencing of any material				3 4
GENERIC SKILLS:	Communication, Problem solving, Organisation, Applying technologies, Information literacy					

All - Assessment Task 2: Research Essay

GOAL:	The goal of the Research Essay is to present clear and coherent knowledge of an area of intellectual property law. During the intensive session you will be given a topic. You are expected to present a reasoned and substantiated argument that critically analyses and consolidates legal knowledge and ideas in the area of intellectual property law. In doing so you will exhibit significance and originality of content and argument.		
PRODUCT:	Written Piece		
FORMAT:	This is an individual assignment, 2,500 words. The Research Essay is due the end of Week 4 of semester 1.		
CRITERIA:	No.	Learning Outcome assessed	
	1	Application of knowledge	1
	2	Critical thinking, analysis and reasoning	1 2 3
	3	Research Skills	1 2 3
	4	Structure and writing	3 4
	5	Presentation and referencing	4
GENERIC SKILLS:	Communication, Problem solving, Organisation, Information literacy		

7. Directed study hours

A 12-unit course will have total of 150 learning hours which will include directed study hours (including online if required), self-directed learning and completion of assessable tasks. Student workload is calculated at 12.5 learning hours per one unit.

8. What resources do I need to undertake this course?

Please note: Course information, including specific information of recommended readings, learning activities, resources, weekly readings, etc. are available on the course Canvas site– Please log in as soon as possible.

8.1. Prescribed text(s) or course reader

There are no required/recommended resources for this course.

8.2. Specific requirements

Please note that you need to have regular access to the resource(s) listed below as they are required:

Australian IP Law Open Textbook, available at <https://wikijuris.net/ausip/home>

9. How are risks managed in this course?

Health and safety risks for this course have been assessed as low. It is your responsibility to review course material, search online, discuss with lecturers and peers and understand the health and safety risks associated with your specific course of study and to familiarise yourself with the University's general health and safety principles by reviewing the [online induction training for students](#), and following the instructions of the University staff.

10. What administrative information is relevant to this course?

10.1. Assessment: Academic Integrity

Academic integrity is the ethical standard of university participation. It ensures that students graduate as a result of proving they are competent in their discipline. This is integral in maintaining the value of academic qualifications. Each industry has expectations and standards of the skills and knowledge within that discipline and these are reflected in assessment.

Academic integrity means that you do not engage in any activity that is considered to be academic fraud; including plagiarism, collusion or outsourcing any part of any assessment item to any other person. You are expected to be honest and ethical by completing all work yourself and indicating in your work which ideas and information were developed by you and which were taken from others. You cannot provide your assessment work to others. You are also expected to provide evidence of wide and critical reading, usually by using appropriate academic references.

In order to minimise incidents of academic fraud, this course may require that some of its assessment tasks, when submitted to Canvas, are electronically checked through Turnitin. This software allows for text comparisons to be made between your submitted assessment item and all other work to which Turnitin has access.

10.2. Assessment: Additional Requirements

Eligibility for Supplementary Assessment

Your eligibility for supplementary assessment in a course is dependent of the following conditions applying:

The final mark is in the percentage range 47% to 49.4%

The course is graded using the Standard Grading scale

You have not failed an assessment task in the course due to academic misconduct

10.3. Assessment: Submission penalties

Late submission of assessment tasks may be penalised at the following maximum rate:

- 5% (of the assessment task's identified value) per day for the first two days from the date identified as the due date for the assessment task.

- 10% (of the assessment task's identified value) for the third day - 20% (of the assessment task's identified value) for the fourth day and subsequent days up to and including seven days from the date identified as the due date for the assessment task.

- A result of zero is awarded for an assessment task submitted after seven days from the date identified as the due date for the assessment task. Weekdays and weekends are included in the calculation of days late. To request an extension you must contact your course coordinator to negotiate an outcome.

10.4. SafeUniSC

UniSC is committed to a culture of respect and providing a safe and supportive environment for all members of our community. For immediate assistance on campus contact SafeUniSC by phone: [07 5430 1168](tel:0754301168) or using the [SafeZone](#) app. For general enquires contact the SafeUniSC team by phone [07 5456 3864](tel:0754563864) or email safe@usc.edu.au.

The SafeUniSC Specialist Service is a Student Wellbeing service that provides free and confidential support to students who may have experienced or observed behaviour that could cause fear, offence or trauma. To contact the service call [07 5430 1226](tel:0754301226) or email studentwellbeing@usc.edu.au.

10.5. Study help

For help with course-specific advice, for example what information to include in your assessment, you should first contact your tutor, then your course coordinator, if needed.

If you require additional assistance, the Learning Advisers are trained professionals who are ready to help you develop a wide range of academic skills. Visit the [Learning Advisers](#) web page for more information, or contact Student Central for further assistance: +61 7 5430 2890 or studentcentral@usc.edu.au.

10.6. Wellbeing Services

Student Wellbeing provide free and confidential counselling on a wide range of personal, academic, social and psychological matters, to foster positive mental health and wellbeing for your academic success.

To book a confidential appointment go to [Student Hub](#), email studentwellbeing@usc.edu.au or call 07 5430 1226.

10.7. AccessAbility Services

Ability Advisers ensure equal access to all aspects of university life. If your studies are affected by a disability, learning disorder mental health issue, injury or illness, or you are a primary carer for someone with a disability or who is considered frail and aged, [AccessAbility Services](#) can provide access to appropriate reasonable adjustments and practical advice about the support and facilities available to you throughout the University.

To book a confidential appointment go to [Student Hub](#), email AccessAbility@usc.edu.au or call 07 5430 2890.

10.8. Links to relevant University policy and procedures

For more information on Academic Learning & Teaching categories including:

- Assessment: Courses and Coursework Programs
- Review of Assessment and Final Grades
- Supplementary Assessment
- Central Examinations
- Deferred Examinations
- Student Conduct
- Students with a Disability

For more information, visit <https://www.usc.edu.au/explore/policies-and-procedures#academic-learning-and-teaching>

10.9. Student Charter

UniSC is committed to excellence in teaching, research and engagement in an environment that is inclusive, inspiring, safe and respectful. The [Student Charter](#) sets out what students can expect from the University, and what in turn is expected of students, to achieve these outcomes.

10.10. General Enquiries

In person:

- **UniSC Sunshine Coast** - Student Central, Ground Floor, Building C, 90 Sippy Downs Drive, Sippy Downs
- **UniSC Moreton Bay** - Service Centre, Ground Floor, Foundation Building, Gympie Road, Petrie
- **UniSC SouthBank** - Student Central, Building A4 (SW1), 52 Merivale Street, South Brisbane
- **UniSC Gympie** - Student Central, 71 Cartwright Road, Gympie
- **UniSC Fraser Coast** - Student Central, Student Central, Building A, 161 Old Maryborough Rd, Hervey Bay
- **UniSC Caboolture** - Student Central, Level 1 Building J, Cnr Manley and Tallon Street, Caboolture

Tel: +61 7 5430 2890

Email: studentcentral@usc.edu.au