Cession of rights

Academic Year: (2020 / 2021) **Review date: 08-07-2020**

Department assigned to the subject: Private Law Department

Coordinating teacher: BONDIA ROMAN, CARLOS FERNANDO

Type: Compulsory ECTS Credits : 3.0

Year : 1 Semester : 1

OBJECTIVES

- To have an understanding of the knowledge which have the base or have the opportunity of being original in the development and/or application of ideas, often within an investigation context.
- Students have to learn to apply the knowledge acquired and have the capacity to solve problems in new areas or little known areas in broader concepts (or multidiscipline) related to their field of study.
- Students have to be capable of integrate such knowledge and face the complexity of making decisions starting from an information that, being incomplete or limited, includes thinking about the social and ethical responsibilities related to the application of their knowledge, judgements and opinions.
- Students have to know how to communicate their conclusions, knowledge and the ultimate reasons that support specialized and non-specialized public in a clear manner and without ambiguities.
- Students have to acquire the skills of own and autonomous learning.
- Understand all the institutional web of Intellectual Property and master the access and control to its legal sources of information.
- Acquire a systematic knowledge of all the applicable legislation to the subject of the Master Program as well as of the decisions of the Spanish Supreme Court and the Court of the European Union. Students have to know how to analyze, interpret and apply them.
- Identify conflicts of interest in the scope of Intellectual Property and determine the techniques for their solving.
- Elaborate legal text of quality in which the student has to be capable of synthesize the acquired knowledge and make new proposal and solutions in light of the changing social scenario in the field of Intellectual Property.
- Integrate the particularities of Intellectual Property in the general system of acquisition, modification, transfer and extinction of real rights.
- Have a solid background of the founding and principles of Intellectual Property that enables them to develop the knowledge and techniques acquired in an autonomous, personal and direct manner.
- Find the correct legal rule applicable to the cases related to Intellectual Property and find the corresponding legal consequence.
- Elaborate and synthesize in a clear and precise contract the rights and obligations of the parties in the assignment of rights over the works and performances subject to protection, identifying the ways of exploitation within each of them and respecting the imperative Law whether it is expressly stated or not.
- Give legal advice to persons, institutions and corporations that use products or services protected by Intellectual Property with respect to relevant legal facts, understanding the analysis of legal problems, the valuation of risks or possible liabilities and the taking of professional decisions.
- Evaluate the possibilities of fraud that the owners of IP rights can suffer in the digital field and know how to apply the technologic measures for the protection of such rights always respecting the established legal limits.

DESCRIPTION OF CONTENTS: PROGRAMME

The subject analyzes general and basic institutions on Copyright Law that form the heart of the Master¿s content. The structural elements of the subjective copyright are studied in great depth and detail, i.e., ownership, object and content, as well as its dynamic aspects (rights transfers) and both national and international protection systems.

- The position of the Spanish legislation in the transmission system of economic rights.
- Analysis of the general provisions of the Copyright Act
- Special consideration of remuneration for the transfer and authors salaried

ASSESSMENT SYSTEM

Continuous assessment will be to assess the use of classes using questionnaires completed at the end of any of them or by work commissioned by teachers. Its weight percentage is 15 % of the final grade .

The fine exam , which accounts for 85 % of the final grade , consist of two parts . The first test will consist of questions with four alternatives each. Each wrong answer shall subtract a 25% of what a correct answer adds. The second, in the theoretical development of some of the issues .

Extraordinary evaluation process: In the extraordinary or second examination and final call, 100% of the final grade will be determined by a single theoretical examination. That is to say that the mark obtained in the continuous evaluation is not saved.

% end-of-term-examination:	85
% of continuous assessment (assigments, laboratory, practicals…):	15

BASIC BIBLIOGRAPHY

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- EVANGELIO LLORCA. El encargo de obra intelectual. , Dykinson, Madrid, 2006
- RODRÍGUEZ TAPIA. La cesión en exclusiva de los derechos de autor. , CEURA, Madrid, 1992
- VALDÉS ALONSO. Propiedad intelectual y relacio¿n de trabajo: La transmisio¿n de los derechos de propiedad intelectual a través del contrato de trabajo: artistas, programadores informáticos y producción audiovisual. , Civitas, Madrid, 2001
- VV.AA Comentarios al Convenio de Berna para la proteccio¿n de las obras literarias y arti¿sticas (coor. R. Bercovitz)., Ed. Tecnos, Madrid, 2013
- VV.AA Cuestiones de actualidad sobre propiedad intelectual (descargas ilegales, copia privada¿). Coordinadora Mª. A. Esteve Pardo. , Ed. Tirant lo Blanch, Valencia, 2013
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- VV.AA. Comentarios a la Ley de Propiedad Intelectual (Coordinadores Palau Ramírez y Palao Romero)., Tirant lo Blanch, Valencia., 2017