

Academic Year: ( 2022 / 2023 )

Review date: 10-06-2022

Department assigned to the subject: Department of Private Law

Coordinating teacher: BONDIA ROMAN, CARLOS FERNANDO

Type: Compulsory ECTS Credits : 6.0

Year : 1 Semester : 2

## OBJECTIVES

- Being able to draft and revise contractual agreements containing the rights and obligations of the parties regarding the transfer of exploitation rights on works and other protected assets, in a clear and precise manner, specifying the modalities of exploitation included in each of the rights and respecting the imperative law, even if it is not expressly formulated.
- Being able to advise individuals, institutions and companies that use products or services protected by intellectual property rights, including the analysis of legal issues and the assessment of risks or potential liabilities.
- Knowing how to manage rights in the various markets regarding the creations/works, products and services covered by intellectual property.
- Being able to integrate their knowledge on intellectual property matters and legislation to handle the complexity of formulating opinions based on information that was incomplete or limited, and to communicate their conclusions to specialists and non-specialists in a clear and unambiguous manner. Likewise, the students should be able to know how to identify conflicts of interest and the infringement of rights that occur in the field of intellectual property and determine the techniques for their resolution. In general, the students should be able to exercise professional activities in the field of intellectual property, both as advisors and/or transactional experts, as well as by exercising civil, commercial, criminal and administrative actions and claims.

## DESCRIPTION OF CONTENTS: PROGRAMME

This subject focuses on the analysis of the most important markets in the field of intellectual property, as well as on the online and off line commercialization of works, performances and assets protected by intellectual property. Concretely, it covers the legal status of the publishing contract, the main aspects of the publishing industry (for both literary and musical publishing), the phonographic music industry, collecting societies in the music field, the legal framework of theatrical and musical performances, and the process and legislation behind stage shows.

## ASSESSMENT SYSTEM

The evaluation shall take into account the work done by the students throughout the module (continuous evaluation).

The percentage weight of such continuous work is 30% of the final grade. In addition, a final theoretical exam, which has a weight percentage of 70% of the final grade, shall be held.

<b>% end-of-term-examination:</b>	70
<b>% of continuous assessment (assignments, laboratory, practicals...):</b>	30

## BASIC BIBLIOGRAPHY

- PALOMAR LICERAS, Natalia Resoluciones de actualidad en materia de Propiedad Intelectual y Música, Revista Aranzadi de derecho de deporte y entretenimiento N.º.70 , 2021
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- SÁNCHEZ ARSITI, Rafael La propiedad intelectual sobre las obras musicales, Comares, 2016, 2ª edición
- VV.AA Comentarios al Convenio de Berna para la protección de las obras literarias y artísticas (coor. R. Bercovitz), Ed. Tecnos, Madrid, 2013
- VV.AA Cuestiones de actualidad sobre propiedad intelectual (descargas ilegales, copia privada).

Coordinadora M<sup>a</sup>. A. Esteve Pardo. , Ed. Tirant lo Blanch, Valencia, 2013

- VV.AA Propiedad intelectual en el siglo XXI: Nuevos continentes y su incidencia en el derecho de autor (coord. Espín Alba), REUS, 2014

- VV.AA La reforma de la Ley de Propiedad Intelectual (coord. R. Bercovitz), Tirant lo Blanch, Valencia., 2015

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- VV.AA. Comentarios a la Ley de Propiedad Intelectual (Director J.M. Rodríguez Tapia) , Ed. Thomson-Civitas, Madrid, 2011

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- VV.AA. Manual de propiedad intelectual (Coordinador R. Bercovitz). 8<sup>a</sup> edición., Ed. Tirant lo Blanch, Valencia, 2018 (Libro electrónico: Texto completo en línea a través de Biblioteca UC3M)

- VV.AA. Comentarios a la Ley de Propiedad Intelectual (Coordinador R. Bercovitz), 4<sup>a</sup> edición. , Ed. Tecnos, Madrid., 2017

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#### ADDITIONAL BIBLIOGRAPHY

- ALLEN, PAUL Artist Management for the Music Business, Focal Press, 2014

- CARBAJO CASCÓN, F Modelos de negocio y respeto a la propiedad intelectual en el libro electrónico, en Documentos electrónicos y textualidades digitales (eds. J.A. Cordón García, R. Gómez-Díaz, J. Alonso Arévalo), Aquilafuente, Universidad de Salamanca, 2013

- DE ROMÁN PÉREZ, S. ¿Propiedad intelectual y acceso abierto a artículos científicos?, en Propiedad Intelectual en el siglo XXI: nuevos continentes y su incidencia en el derecho de autor (coord. I. Espín Alba), Reus, 2014

- DE ROMÁN PÉREZ, S. Obras musicales, compositores, intérpretes y nuevas tecnologías, Reus, 2003

- ENCABO VERA, M. Á Las obligaciones del editor en la edición musical, Reus, 2002

- FRIEDMAN, Jane Publishing 101: A First-Time Author's Guide to Getting Published, Marketing and Promoting Your Book, and Building a Successful Career, MBA for Writers, 2014

- GIMENO, Luis ¿Parody of songs: a Spanish case and an international perspective?, Entertainment Law Review, 1997

- HITZ, Shelley Self-Publishing Books 101: A Step-by-Step Guide to Publishing Your Book in Multiple Formats, Body and Soul Publishing, 2014

- NUNNENKAMP, Kenneth ¿Musical parody: derivative use or fair use?, Loyola Entertainment Law Journal, 7, 1987

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