Property Rights

Academic Year: (2022 / 2023) **Review date: 01-12-2021**

Department assigned to the subject: Private Law Department

Coordinating teacher: GOMEZ DE LA ESCALERA, CARLOS RAFAEL

Type: Compulsory ECTS Credits : 6.0

Year : 4 Semester : 1

OBJECTIVES

The basic purpose of the subject Real Rights (or Rights in rem) are to:
- Achieve that the student acquires a reasonable level of knowledge on the subject.
- The student conveniently uses the theoretical knowledge to solve practical problems.

DESCRIPTION OF CONTENTS: PROGRAMME

The subject studies Real rights. We have to understand for Real rights the specific category of subjective patrimonial rights that have as their object corporal things (that¿s why they are called real, in rem, in Latin) through which the acquisition, ownership, use and enjoyment of the goods is organized, permitting to cover the economic needs that may be obtained therefrom (ownership, use and enjoyment of the goods, credit,¿)
A specific chapter of the subject is constituted by the so called Registry Law that studies the institution that we know as Property Registry.
Furthermore, within the programme of the subject and due to its historical importance and weight that has included it within the special properties, we study intellectual property, even if it is not a Real right.

LEARNING ACTIVITIES AND METHODOLOGY

The weekly lectures are divided in two; a theory class or Magistral class, of one hour and a half, and a Practical lecture of also one hour and a half. In the Magistral lecture the teacher shall explain the most important theory principles of the subject. The student shall complete the contents explained in the class with his own individual study of the handbooks, legal texts and other recommended study materials. In the Practice session the goal is to favour the active participation of the student in the execution of activities that allow for the application of the theoretical knowledge to cases using the techniques of the legal practice (use of jurisprudence data bases, legislation and bibliography, use of concepts and tools for a proper reasoning, interpretation and application of rules, etc).

ASSESSMENT SYSTEM

The assessment system is made through two procedures:
A) The continuous assessment wants to determine the level of knowledge acquired by the student with the work done during the course and from which a 40% of the definitive grade might be obtained (4 points) in the following way:
- Participation in the practice sessions, working on the programed activities in each case (up to 1 point can be obtained in this way)
- A written multiple choice test, that might entail up to 1 point
- The reasoned solution of a case form which the student can obtain up to 2 points. To solve the case the student shall not be able to use any legal texts or materials whatsoever.

B) The final exam (ordinary setting in January), written and theoretical, that is valued 60% of the final grade (6 points). This exam shall consist of a multiple choice test and the answering of one or several short questions. The test might count 4 points; the answer to the questions up to 2 points.
To pass the subject it is necessary to have in the final exam a minimum grade of 3 points.
For the assessment of the tests all of the questions shall be taken into account so that the good answers shall be graded positively and those wrong or not answered shall subtract an equivalent to a fourth part of the value assigned to the good answers. For example, if every good answer should be valued 1, the wrong answers or those questions not answered shall subtract 0,25 points.

Assessment of the extraordinary setting:
In the extraordinary setting the student might obtain the grade through an only exam that shall count 100% of the final grade. This exam shall consist of two parts:

a) A multiple choice test, which shall count up to 6 points, that all students shall have to take. The punctuation obtained shall be added, in its case, to the grade obtained in the continuous assessment.
b) A written exam of a theoretical character, that will consist of 4 short questions, through which the student can obtain up to 4 points. This exam is optional and the grade obtained in it shall substitute the one obtained in the continuous assessment in case that it is more favourable for the student.

% end-of-term-examination:	60
% of continuous assessment (assigments, laboratory, practicals…):	40

BASIC BIBLIOGRAPHY

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