

Academic Year: (2023 / 2024)

Review date: 11-05-2023

Department assigned to the subject: Private Law Department

Coordinating teacher: LASTIRI SANTIAGO, MONICA

Type: Electives ECTS Credits : 3.0

Year : 1 Semester : 2

DESCRIPTION OF CONTENTS: PROGRAMME

I. Copyright and its legal protection

1. Introduction. authorship

1.1. Structure of Intellectual Property Law. terminological precisions. Copyright and related. transitional law

1.2 Authorship. Headlines derivatives.

2. protectable creations. Moral rights

2.1 Protection requirements

2.2. exclusions

2. 3. The moral rights

3. Economic Rights and limits

3.1. The economic rights. exclusive rights. remunerative rights

3.2 Limits or exceptions

3.3. The collective management and its role and typology.

3. 4. The role of public authorities in the intellectual property system.

4. The transmission of copyright

4.1. modalities

4.2. Exploitation of copyright. case study.

II. Industrial property and its legal protection

1. Principles of Industrial Property Law.

2. new industrial Creations

twenty-one. The patent in Spain. legal and economic concept

2.1.1. Patentability requirements

2.1.2. Registration Prohibitions

2.1.3. Handling procedures and content of patent application

2.1.4. Ownership of the patent: general principle and exceptions. Nullity and Forfeiture of the patent.

2.1.5. Transmission of patent licenses patents: exclusive and nonexclusive

2.1.6. Defense and maintenance of the patent. civil and criminal actions.

2.1.7. European patent and European patent with unitary effect. case

2.2. Other industrial creations

2.2.1. Utility models. Concept. Protection requirements. Procedure. Defense and maintenance. case

2.2.3. Industrial design. Concept. Registration procedure. Defense and maintenance. Community industrial design. case

2.2.2. Trade secrets. Concept and legal protection.

3. Distinctive signs

3.1. The brand concept and classes

3.1.1. Solicitud. Prohibitions. Examples

3.1.2. Registration procedure.

3.1.3. The notorious and renowned brand

3.1.4. Rights and obligations

3.1.5. legal business.

- 3.1.6 Actions for infringement. Special attention to compensation.
- 3.1.7. The invalidity of the mark. Effects. case
- 3.1.8. The international brand and the brand of the European Union

3.2. Other distinctive signs

- 3.2.1. The trade name. Application and registration procedure. Infringement actions. Nullity and effects. case
- 3.2.2. Domain names. Concept and classes
- 3.2.3. Names versus distinctive signs
- 3.2.4. legal issues of the domain name
- 3.2.5. Actions for trademark infringement through a domain name. case

4. Right of commercial advertising

- 4.1. Spanish advertising law
- 4.2. Community advertising law
- 4.3. Specific cases of illegal advertising: Subliminal Advertising misleading advertising; comparative advertising, disparaging advertising, confusionist advertising, adhesive and parasitic
- 4.4. audiovisual advertising
- Four. Five. Internet publicity
- 4.6. Actions and defenses
- 4.7. Advertising Self-regulation and self-control. case

ASSESSMENT SYSTEM

According to the practical nature of the training activities and methodologies teachers credit enhancement will be a special weight to continuous assessment. The It will be held from student participation in class (10% of score) and the realization of practical cases (50% of score).

The final exam will consist of a type test and will involve 40% of the note.

All this in accordance with current regulations

If the continuous evaluation system is not followed, which requires attendance at 90% of the sessions, the final grade in both ordinary and extraordinary sessions will be obtained on 60% of the final exam.

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