

Programme Specification (PG)

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| Awarding body / institution: | Queen Mary University of London |
| Teaching institution: | Queen Mary University of London |
| Name of final award and programme title: | Pg Certificate in Intellectual Property Law |
| Name of interim award(s): | n/a |
| Duration of study / period of registration: | 1 semester |
| Queen Mary programme code(s): | PCPF-QMCCLA1 |
| QAA Benchmark Group: | Law |
| FHEQ Level of Award: | Level 7 |
| Programme accredited by: | Chartered Institute of Patent Attorneys (CIPA), Chartered Institute of Trade Mark Attorneys (CITMA) and the Intellectual Property Regulation Board (IPReg) |
| Date Programme Specification approved: | 6 Apr 2022 |
| Responsible School / Institute: | Centre for Commercial Law Studies |

Schools / Institutes which will also be involved in teaching part of the programme:

Collaborative institution(s) / organisation(s) involved in delivering the programme:

Programme outline

The Certificate in Intellectual Property Law is designed for trainee patent and trade mark attorneys. It is a one-semester course offering concentration on both the academic and the practical aspects of patents, copyrights, designs, trade marks, and other related areas. The academic treatment of the subject matter is complemented by the practical insights offered through the involvement of established practitioners in the field. Fundamentals of English Law and Professional Ethics are also taught to provide a robust foundation of knowledge for trainee patent and/or trade mark attorneys.

Aims of the programme

The programme aims to:

- provide students with a sound understanding of the essential principles of law providing a foundation and context for a more in-depth study and understanding of intellectual property law and practice;
- provide students with a detailed understanding of the laws and procedures relating to the protection of patents (domestic, international and comparative);
- provide students with a detailed understanding of the laws and procedures relating to the protection of trade marks (domestic, international and comparative);
- provide students with a detailed understanding of the laws and procedures (UK and Community) relating to the protection of industrial design through registered and unregistered design laws and copyright;
- equip students with the skills of legal analysis and application of the law that is essential for practicing as an intellectual property professional in the aforementioned fields.

What will you be expected to achieve?

The programme provides opportunities for students to develop and demonstrate knowledge and deep understanding of the relevant laws as well as skills and other attributes in the said areas of law. The programme outcomes are referenced to the relevant QAA benchmark statement(s) (see above) and the Framework for Higher Education Qualifications in England, Wales and Northern Ireland (2008), and relate to the typical student. Additionally, the SEEC Credit Level Descriptors for Further and Higher Education 2003 and Queen Mary Statement of Graduate Attributes have been used as a guiding framework for curriculum design.

| Academic Content: | |
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| A 1 | Fundamentals of the English legal system: providing a proper foundation and context for the study of intellectual property law and practice, differences between common and civil law, fundamentals of contract law and the law of tort, sources of law, fundamentals of the judicial system including the Intellectual Property Enterprise Court and other courts, corporate structures. |
| A 2 | Patent law: laws and procedures relating to the protection of patents (domestic, international and comparative), rationale and purpose of the patent system, requirements for patentability, nature of an invention, novelty, inventive step, subject matter, priority, inventorship, ownership and employee rights, direct and indirect infringement, remedies, evidence, defences, strategic creation and management of patent portfolios, obtaining a patent in the UK, European Patent procedure, Patent Cooperation Treaty procedure, obtaining a patent in other key jurisdictions, the Unitary Patent and Unified Patent Court, the legal protection of trade secrets and confidential information, intellectual property transfer, commercialisation and licensing* (including negotiation, international perspectives, jurisdiction, arbitration), differences between novelty and freedom-to-operate searching. |
| A 3 | Trade mark law: laws and procedures relating to the protection of trade marks (domestic, international and comparative), registration, absolute grounds for refusal of registration, infringement and relative grounds for refusal of registration, role of searching and other evidence, defences, invalidity, revocation, use, strategic creation and management of trade mark portfolios, registering and maintaining a trade mark in the UK, EUIPO or via the Madrid Protocol, international and trans-national options for trade mark protection, registration and maintenance in other key jurisdictions and on the internet, the law of passing off and the legal protection for unregistered trade marks in the UK and in other key jurisdictions, intellectual property transfer, commercialisation and licensing, (negotiation, international perspectives – jurisdiction clauses, arbitration requirements). |

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| A 4 | Patent law: laws and procedures relating to the protection of patents (domestic, international and comparative), rationale and purpose of the patent system, requirements for patentability, nature of an invention, novelty, inventive step, subject matter, priority, inventorship, ownership and employee rights, direct and indirect infringement, remedies, evidence, defences, strategic creation and management of patent portfolios, obtaining a patent in the UK, European Patent procedure, Patent Cooperation Treaty procedure, obtaining a patent in other key jurisdictions, the Unitary Patent and Unified Patent Court, the legal protection of trade secrets and confidential information, intellectual property transfer, commercialisation and licensing* (including negotiation, international perspectives, jurisdiction, arbitration), differences between novelty and freedom-to-operate searching. |
| A 5 | Professional ethics applicable to IP practitioners: the IPReg Code of Conduct; standards of care and duties to clients, conflicts of interest, client confidentiality, financial activity, professional integrity. |

| Disciplinary Skills - able to: | |
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| B 1 | Professional ethics applicable to IP practitioners: the IPReg Code of Conduct; standards of care and duties to clients, conflicts of interest, client confidentiality, financial activity, professional integrity. |
| B 2 | recognise potential alternative conclusions for particular legal situations, and provide supporting reasons for them; |
| B 3 | appreciate the need for further inquiry to obtain facts that are unknown but relevant to one's case; |
| B 4 | select key relevant issues for legal research and/or discussion and to formulate them with clarity; employing advanced skills to conduct research; |
| B 5 | use standard paper and electronic resources to obtain up-to-date legal information, including researching and analysing intellectual property law from primary resources on specific matters and applying the findings of such work to the solution of legal problems; |
| B 6 | make a personal and reasoned judgment based on an informed understanding of standard arguments in the area of law in question; |
| B 7 | use legal terminology with care and accuracy; use ideas at a high level of abstraction; |
| B 8 | communicate legal information, whether orally or in writing, appropriately to the needs of a variety of audiences; |
| B 9 | retrieve legal principles from case law; |
| B 10 | draw analogies to preexisting cases; |
| B 11 | demonstrate an understanding of current theoretical and methodological approaches and how these affect the way the knowledge base is interpreted. |

| Attributes: | |
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| C 1 | ability to advise clients; |
| C 2 | ability to make arguments for both sides in light of given facts; |
| C 3 | ability to engage into practical and theoretical discussions about trade mark law problems; |
| C 4 | displaying mastery of the complex and specialized area of black letter trade mark law and practice; |

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| C5 | accepting accountability for decision making. |
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How will you learn?

This Programme is delivered via lectures and seminars throughout the first semester of the academic year. Most teaching takes place in a whole-group setting. Teaching and learning methods vary from module to module. In some sessions, teaching is conducted in interactive lecture format. In others, teaching is conducted through group discussion of pre-assigned questions and problems. Each module is supported by a detailed and clearly structured set of materials and reading list. These materials include guided learning exercises which the students are required to complete in advance of the teaching sessions. Students have the opportunity to submit written answers to legal problem questions and receive feedback on these submissions.

Each module is organised and convened by a subject expert from within the Centre for Commercial Law Studies at Queen Mary and also includes a number of classes run by experienced practitioners in the relevant field. Such practitioners include patent attorneys, barristers, and solicitors. The contribution of such practitioners is an important element of this professional programme. CCLS is uniquely well-placed to deliver a programme integrating professional expertise in this way as a result of the extensive contacts that it has built up with senior intellectual property practitioners over the years (both through the Certificate in Intellectual Property Law and other programmes and through its research activities).

How will you be assessed?

Assessment and Award

IPLC140 - Trade Mark Law : 1 x 2 hours 15 minutes paper (long essay exam 50%) and 1 x 2hr paper (short answer exam 50%)
IPLC132 - Designs and Copyright Law : 1 x 2 hours 15 minutes paper (long essay exam)
IPLC141 - Patent Law : 1 x 2 hours 15 minutes paper (long essay exam 50%) and 1 x 2hr paper (short answer exam 50%)
IPLC134 - Fundamentals of Law and Professional Ethics : 1 hour multiple choice question paper (30%) and a 2500 word essay (70%)

A candidate's classification for the programme as a whole is therefore determined on the basis of marks and successful completion in all assessed modules.

How is the programme structured?

Please specify the structure of the programme diets for all variants of the programme (e.g. full-time, part-time - if applicable). The description should be sufficiently detailed to fully define the structure of the diet.

Programme structure

The Programme extends over a semester of full-time study ("the semester of study") and candidates for the award must study the following compulsory modules:

- Students are required to do pre-reading before the start of the programme from the suggested readings and any course material which is sent beforehand.
- Fundamentals of Law and Professional Ethics (IPLC134)
- Trade Mark Law (IPLC140)
- Patent Law (IPLC141)
- Designs and Copyright Law (IPLC132)

| Module Title | Module Code | Credits | Level | Module Selection Status | Academic Year of Study | Semester |
|---------------------------------------------|-------------|---------|-------|-------------------------|------------------------|------------|
| Trade Mark Law | IPLC140 | 30 | 7 | Core | 1 | Semester 1 |
| Patent Law | IPLC141 | 20 | 7 | Core | 1 | Semester 1 |
| Designs and Copyright Law | IPLC132 | 15 | 7 | Compulsory | 1 | Semester 1 |
| Fundamentals of Law and Professional Ethics | IPLC134 | 15 | 7 | Compulsory | 1 | Semester 1 |

What are the entry requirements?

Minimum 2:2 undergraduate degree from any subject area with a suggested minimum 6 months experience and sponsorship by an employer.

For those without a degree but with sponsorship from an employer we would consider substantial experience within the Patents/Trade Marks fields (at least 5 years).

How will the quality of the programme be managed and enhanced? How do we listen to and act on your feedback?

Students are encouraged to select a class representative, failing this we offer feedback throughout the semester and encourage students to contact the programme coordinator.

At the end of the academic teaching period students complete both the college module feedback forms and an in-house basic questionnaire.

The IP Specific Staff-Student Liaison Committee provides an informal means of communication and discussion between schools/institutes and its students. The committee consists of student representatives from each year in the school/institute together with appropriate representation from staff within the school/institute. It is designed to respond to the needs of students, as well as act as a forum for discussing programme and module developments. Staff-Student Liaison Committees meet regularly throughout the year subject to students identifying the need for such meetings. Meetings are regularly scheduled by the central administration team for this programme.

Each school/institute operates a Learning and Teaching Committee, or equivalent, which advises the School/Institute Director of Taught Programmes on all matters relating to the delivery of taught programmes at school level including monitoring the application of relevant QM policies and reviewing all proposals for module and programme approval and amendment before submission to Taught Programmes Board. Student views are incorporated in the committee's work in a number of ways, such as through student membership, or consideration of student surveys. On top of that, a senior academic will be conducting focus groups with the students.

All schools/institutes operate an Annual Programme Review of their taught undergraduate and postgraduate provision. APR is a continuous process of reflection and action planning which is owned by those responsible for programme delivery; the main document of reference for this process is the Taught Programmes Action Plan (TPAP) which is the summary of the school/institute's work throughout the year to monitor academic standards and to improve the student experience. Students' views are considered in this process through analysis of the NSS and module evaluations.

All modules are assessed through student feedback prior to exams, assessed through paper-based confidential forms handed out and completed in the class room. Students also have the opportunity to provide feedback through on-line forms and through informal mechanisms to the Programme Director and Programme Administrator.

In addition to the Queen Mary and CCLS mechanisms for feedback and quality assurance, the special nature of the professional relationship with IPReg, CIPA and CITMA has led to special information-gathering sessions with the profession (including occasional evening meetings and roundtable meetings) at which developments for the programme are discussed and proposed. Further, senior CCLS IP Academics sit as members of the CIPA and CITMA Education Committee where developments for the future are discussed and examined. Additional feedback and guidance is sourced from discussions and meetings with IPReg.

What academic support is available?

The programme director offers help and assistance to students if required. Students are encouraged to communicate directly with the module leaders, programme director and programme coordinator with any queries.

Students can also approach our assessments team for any questions pertaining to the administrative aspects of the examinations including exam timetables, delivery of exam results etc.

Programme-specific rules and facts

Standard regulations - <https://arcs.qmul.ac.uk/policy/> - on condoned failure apply except that a student must achieve a minimum mark of 45.0 (rather than the usual 40.0) to be considered for condoned failure.

How inclusive is the programme for all students, including those with disabilities?

Queen Mary has a central Disability and Dyslexia Service (DDS) that offers support for all students with disabilities, specific learning difficulties and mental health issues. The DDS supports all Queen Mary students: full-time, part-time, undergraduate, postgraduate, UK and international at all campuses and all sites.

Students can access advice, guidance and support in the following areas:

- Finding out if you have a specific learning difficulty like dyslexia
- Applying for funding through the Disabled Students' Allowance (DSA)
- Arranging DSA assessments of need
- Special arrangements in examinations
- Accessing loaned equipment (e.g. digital recorders)
- Specialist one-to-one "study skills" tuition
- Ensuring access to course materials in alternative formats (e.g. Braille)
- Providing educational support workers (e.g. note-takers, readers, library assistants)

Links with employers, placement opportunities and transferable skills

One of the most notable features of the CCLS is its extremely close relationship with the legal profession and the commercial world. It has an advisory council that includes several senior members of the judiciary and legal profession and persons occupying senior roles in the commercial world. Currently, senior members of the legal and intellectual property professions play important roles on the examination board for the programme. The majority of students are employed as trainee trade mark attorneys or administrators while studying on that Programme. They are usually supported financially for their period of study. Almost all graduates from the Programme are employed within the profession following their studies. Most programmes within CCLS have the benefit of prizes for achievement supported by commercial organisations.

Programme Specification Approval

Person completing Programme Specification:

Jack Osborne

Person responsible for management of programme:

Apostolos Chronopoulos

**Date Programme Specification produced / amended by
School / Institute Learning and Teaching Committee:**

August 2021

**Date Programme Specification approved by Taught
Programmes Board:**

6 Apr 2022