

# Principles of Intellectual and Industrial Property Law

Faculty of Law

## LAW5013

Period 1:

**1 Sep 2025**

**24 Oct 2025**

Credits:

**5.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL, Lecture(s), Skills, Assignment(s)**

Assessment methods:

**Written exam, Assignment, Oral exam**

## Full course description

This course focuses on the principles of intellectual and industrial property law as a means to provide incentives to creativity and innovation and to regulate the market. It also traces the development of intellectual property law from an instrument of national innovation policy to a global trade issue. International instruments such as the Paris Convention, PCT, TRIPS, and parallel imports will be covered and their basic principles of territoriality, national treatment, priority and most favoured nation treatment are addressed. In addition, issues of enforcement, procedural issues, civil procedures, and criminal sanctions will be discussed in the context of international obligations and the creation of the European common market.

**Teaching methods:** Lectures, tutorials, assignments, a mock trial

**Assessment method :** Weekly assignment(s) including one mock trial (brief or judgment, and oral presentation/argumentation), and an individual written exam. Weight: Assignments 40%, Written exam 60%

## Course objectives

At the end of this course, the student can place intellectual property rights in an international and national perspective, is able to describe the role and function of international institutions (WIPO, WTO, European Institutions) and instruments (Paris Convention (PC), Strasbourg Convention, European Patent Convention (EPC), Patent Cooperation Treaty (PCT), TRIPS, EC Directives and

Regulations), will be conversant with concepts such as national treatment, priority and independence of rights, and is able to write a brief/argue a mock trial on a case involving dispute settlement, enforcement, procedural issues, civil procedures, and/or criminal sanctions.

# Copyright and Related Rights

Faculty of Law

## LAW5014

Period 1:

**1 Sep 2025**

**24 Oct 2025**

Credits:

**5.0**

Coordinator:

**K. TyagiA.W.J. Kamperman Sanders**

Teaching methods:

**PBL**

Assessment methods:

**Written exam, Assignment, Presentation and paper**

Keywords:

**EU copyright and related rights, UK copyright law, generative AI, digital copyright**

## Full course description

This course covers copyright and related rights in a comparative context, focussing on the EU and its member states, including the UK. The course has a twofold focus: first, it addresses the protection of traditional literary and artistic works and rights related to copyright, and second, it sets the scene for industry-specific applications of copyright in multimedia, software, database and design industries. Students will be introduced to the primary and secondary legislative framework in the EU, and the UK. Students will become familiar with international instruments such as the Berne Convention, the WIPO Copyright, and the WIPO Performances and Phonograms Treaty, Beijing Treaty on Audiovisual Performances, Marrakesh Treaty and their impact on the European common market. Emerging issues at the intersection of copyright and generative AI will help students comprehend the challenges of creativity and innovation in light of digitalisation.

**Teaching Methods:** Lectures, Tutorials, Assignments, Class discussions, Quizzes

**Assessment Method:** Three assignments (Weight: Assignments 40%) and one exam (60%). Final grade will be calculated based on the average of assignments' grades, that will count for 40%, and an individual exam that will count for 60%, and rounded to the nearest integer. The grade of 6 is a pass, and the highest possible grade is a 10.

## **Course objectives**

Following the successful completion of the course, the student can place copyright and related rights in an international and national perspective, be able to describe the role and function of international institutions (WIPO, WTO, European Institutions) and instruments (BC, WIPO Copyright Treaties, BTAP, 1988 UK CDPA and the EU Directives and Regulations), appreciate the major difference between the copyright and droit d'auteur systems; will be conversant with concepts such as national treatment, the absence of formalities, and the works catalogue, and be able to write, argue and present on these issues in the context of performance and industrial copyright works (databases, software, etc.). In addition, the students shall be able to critically analyse and deliberate about emerging issues at the intersection of copyright, digitalization and generative AI. The student shall be able to successfully and autonomously assess emerging issues such as the notion of authorship and text and data mining in an era of generative AI.

## **Prerequisites**

N/A

## **Recommended reading**

### ***Mandatory reading***

Tritton on Intellectual Property in Europe, 6th Edition, Chapter 4

### ***Recommended reading***

EU Copyright Law: A Commentary (2nd edition) (Irina Stamatoudi and Paul Torremans (eds))

# Law of Trade Marks

Faculty of Law

## LAW5015

Period 2:

**27 Oct 2025**

**19 Dec 2025**

Credits:

**5.0**

Coordinator:

**A. MoerlandA.W.J. Kamperman Sanders**

Teaching methods:

Assessment methods:

## Full course description

This course covers the principles of economic market regulation under trade mark law and geographical indications. In this course, we first focus on the registration and protection of marks under European Union and national trade mark systems. You will be introduced to the pertinent concepts of trade mark law. Finally, the Madrid Agreement and its relationship with the European systems will be discussed.

In a second part, we will cover the protection of geographical indications of origin. We will study the rationale of GI protection, scope of protection and in particular its relationship with trade mark law. You will then become familiar with the international and the European framework of GI protection.

## Course objectives

At the end of this course, the student:

- can place trade marks and the law of unfair competition in an international and national perspective
- is able to critically assess the rationale of trade mark and geographical indications
- can describe the role and function of international institutions (WIPO, WTO, EUIPO) and instruments (PC, Madrid Agreement and Protocol and Lisbon Agreement, EC Directives and Regulations),
- will be conversant with concepts such as absolute and relative grounds, confusion, misappropriation, evocation and dilution, and

- is able to write, argue and present on these issues in the context of international protection of (well-known) marks and/or geographical indications of origin.

# Patent Law I

Faculty of Law

## LAW5016

Period 2:

**27 Oct 2025**

**19 Dec 2025**

Credits:

**5.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL, Lecture(s), Assignment(s)**

Assessment methods:

**Written exam, Assignment**

## Full course description

This course covers the functioning of the patent system, the protection of trade secrets as a means of providing incentives for innovation and the creation of a market for solutions to technical problems. The issue of patentability, scope of protection, infringement, defences to infringement and limitations will be covered in the context of the European Patent Convention and national legal systems, including the US. Furthermore, case law from the European Patent Office Technical Boards and national legal systems, including the US, will be covered. As such the prime focus of this course is substantive patent law (Arts. 52-57 EPC) and an introduction to patent litigation.

**Taught by:** Prof. Dick van Engelen (UM and Ventoux Advocaten) Dr. Emma Montevicchi (European Patent Attorney, Ericsson); Joost Nelissen (European Patent Attorney; Algemeen Octrooi en Merkenbureau - AOMB) and Prof. Anselm Kamperman Sanders (UM);

## Course objectives

At the end of this course, the student can place the European Patent Convention in an international and national perspective, is able to describe the role and function of international institutions (EPO, USPTO) and instruments (PC, PCT, TRIPS, EPC, US Patent Act, EC Directives and Regulations), will be conversant with concepts such as priority, novelty, inventive step and technical applicability and is able to take the first steps in terms of patent litigation (claim interpretation and scope of protection).

## Recommended reading

Standard literature plus additional materials (e.g. Judge Rich – His Life and Legacy Revisited’; Brinkhof, ‘Extent of Protection: Are the National Differences Eliminated?’; Brinkhof and Hermans, ‘Patent Law in the Netherlands’; etc.)

# EPC Claim Interpretation

Faculty of Law

## LAW5031

Period 3:

**5 Jan 2026**

**30 Jan 2026**

Credits:

**2.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL, Lecture(s), Assignment(s)**

Assessment methods:

**Assignment**

## Full course description

This course is a Common Core module of the IPKM and provides an insight to the theory and practice of interpreting patent claims. Students will be offered an insight into how to interpret claims. Subject discussed in the module are: function of the claims, claim categories, disclosure of the invention, extent of protection and infringement.

Taught by: Natasja Duhayon

## Course objectives

At the end of this course, the student is conversant with issues concerning claim categories, disclosure and clarity of patent claims, as well as the influence of prior art on the patentability of claims, the interpretation of claims and infringement.

## Recommended reading

Standard literature plus additional materials.

# Plant Variety Protection and Biotechnology

Faculty of Law

## LAW5049

Period 3:

**5 Jan 2026**

**30 Jan 2026**

Credits:

**3.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL**

Assessment methods:

**Assignment**

## Full course description

The intensive on plant variety protection (PVP) and biotechnology deals with the way in which plant breeders' rights can be secured under the international UPOV treaty system and its EU or national systems, or under patents.

### Taught by:

- Kees van Ettekoven (UPOV)
- Szonja Csörgő (ISF)
- Orsola Lamberti (CPVO)
- Rob Huijten (BASF Vegetable Seeds, Nunhem)

### Examination:

The UPOV DL-205 online course:

UPOV DL-205 online course must be passed with a score higher than 60.

### Exam:

The final grade is calculated based on the UPOV DL-205 score (50%) and the assignment grade(s) (50%).

## Course objectives

At the end of the course students are familiar with the difference between PVP and patent protection for biotechnological plant inventions at European level (e.g. EPC and EU Biotechnology Directive). They understand the UPOV system, and the way it has been implemented in the

Community Plant Variety Regulation and in the domestic laws of the Member States. They are conversant with the functioning of the UPOV as an international organisation and of the Community Plant Variety Office (CPVO). They can apply the statutory provisions (incl. EU Biotechnology Directive) and CJEU case law related to PVP and Biotechnological inventions.

# Intensive EU Trade Marks, Community Designs and GI's

Faculty of Law

## **LAW5050**

Period 3:

**5 Jan 2026**

**30 Jan 2026**

Credits:

**3.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**Lecture(s)**

Assessment methods:

## **Full course description**

These intensive sessions will be delivered by staff members of the EUIPO. The lecturers are two members of operational divisions, messers. Amat Rodríguez and Stamenov, and two members of the Board of Appeal, messers. Stürmann and Humphreys.

## **Course objectives**

At the end of the course the student has an overview of the functioning and role of EUIPO as an agency of the EU. Students will be familiar with the registration and prosecution process and practice of EU trade marks, and Community Designs, including EUIPO and CJEU Case Law, and the role of the EUIPO Observatory.

The sessions will comprise interactive lectures and the course is concluded through the passing of the online modules of the EUIPO Academy:

- EUTM in a Nutshell (with certificate)
- RCD in a Nutshell (with certificate)

# Patent Law II

Faculty of Law

## LAW5018

Period 4:

**2 Feb 2026**

**2 Apr 2026**

Credits:

**4.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL, Lecture(s), Skills, Assignment(s)**

Assessment methods:

**Written exam, Participation, Assignment**

## Full course description

This course focuses on strategic uses of patents and on patent litigation practice under the Unitary Patent and the Unified Patent Court system as well as in various EPC member states. In this sense claim interpretation, the issue of equivalents and counterclaims will be addressed. In addition, attention will be devoted to global patent strategies and comparative issues in relation to US patent drafting, claim interpretation and litigation.

**Taught by:** Prof. Dick van Engelen (UM), Prof. Christopher Heath (UM) and Prof. Anselm Kamperman Sanders (UM)

**Teaching methods:** Lectures, tutorials and assignments.

**Assessment method:** Weekly assignments, a mock trial and an individually written exam.

**Grading:** Weight; Assignments 40%, Written Exam 60%

## Course objectives

At the end of this course, the student can place the new UPC Agreement next to the European Patent Convention, and place it in relation to national law of various EPC member states in terms of claim interpretation, direct and indirect patent infringement, and strategic considerations in terms of litigation practice in Europe, and is able to identify the major differences with US practice. Equally the student has become conversant with concepts such as discovery in the US, and is able to write a brief/argue a mock trial on a case involving a claim for invalidity.

# IP and Life Sciences

Faculty of Law

## LAW5032

Period 1:

**1 Sep 2025**

**24 Oct 2025**

Credits:

**2.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL, Lecture(s), Assignment(s)**

Assessment methods:

**Written exam, Assignment**

## Full course description

This module covers validation of knowledge and strategic use of patents in the life sciences. This entails an analysis of validity and infringement of patents covering pharmaceuticals or biotechnological inventions, as well as an introduction to drafting issues for such patents.

The module will address the following questions: What are the current innovations in the life sciences?

- What is the nature of bench science and its relationship to technology and product?
- How do these developments fit with Industrial Revolution IP? An overview
- What is the information and knowledge that has to be managed, and is this done effectively and consistently?
- What are the pressure points in Intellectual Property caused by Developments in the Life Sciences?
- The 'morality clause' - what is the place of morality in life science IP?
- Invention or Discovery?
- Artificial Maintenance of Patent Monopolies
- The interrelationship between commercial and personal data
- What are the international challenges to IP and the Life Sciences, particularly Gene Patenting?

**Taught by** : Dr. René Riggers (AOMB) and Prof. Meir Pugatch (UM).

### Assessment:

1. This course is graded on the following basis:
  - a. Written exam - 60% of final mark
  - b. Written and/or role play assignment(s) - 40% of final mark

# IP and Computer Science

Faculty of Law

## LAW5033

Period 2:

**27 Oct 2025**

**19 Dec 2025**

Credits:

**4.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL, Lecture(s), Assignment(s)**

Assessment methods:

**Written exam, Assignment**

## Full course description

This course covers the way in which computer-implemented inventions and software can be protected by patents and copyright. This then covers software, games, and artificial intelligence (AI) applications.

Students will be taught through interactive lectures, thought exercises, and a practical assignment. Please note that this course is graded based on one assignment and your oral contributions in class (40%) and a written exam (60%).

The course is taught by Yannis Skulikaris, former Head of Division CII at the EPO, and Prof. Noam Shemtov (Queen Mary, University of London)

## Course objectives

At the end of this course the students should be conversant with the patentability of computer-implemented inventions, and EPO caselaw related to CII. In addition, students can place patent protection next to protection of computer programs (software) by means of copyright and understand the advantages and disadvantages of each method of protection from the perspective of exclusivity, freedom to operate, and commercialization.

# EPC Procedure

Faculty of Law

## LAW5022

Period 3:

**5 Jan 2026**

**30 Jan 2026**

Credits:

**2.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL, Lecture(s), Assignment(s)**

Assessment methods:

**Attendance, Assignment**

## Full course description

This course covers procedural aspects of the European Patent Convention and focuses on the application, acquisition, opposition, grant, revocation of a European patent, and the interface with national procedures.

The course contains two lectures. Attendance during the lectures is obligatory. It is strongly advised to properly prepare for the lectures as explained on the Study Material page. Interaction and proper preparation during the lectures will be taken into account for scoring.

Further, each student will be required to submit two written assignments during the entire module; the first assignment will amount to 40% of the final score. The second assignment will amount to 60% of the final score.

Taught by: Jeroen Declerck (IP Hills)

## Course objectives

At the end of this course, the student is familiar with all procedural aspects of the procedure before the European Patent Office including filing a European patent application, the European search report and search opinion; publication of the European patent application; substantive examination, grant of a European patent or refusal of the patent application. In addition, the entry of an international (PCT) application into the regional phase before the EPO is dealt with. Students are also made familiar with opposition to a granted European patent, limitation and revocation proceedings as well as the appeal procedure. Recent developments of the unitary EU Patent are included. The

students will also be familiar with calculating time limits, fee payments and the available remedies under the EPC.

# Intensive EU Trade Marks, Community Designs and GI's

Faculty of Law

## LAW5050

Period 3:

**5 Jan 2026**

**30 Jan 2026**

Credits:

**3.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**Lecture(s)**

Assessment methods:

## Full course description

These intensive sessions will be delivered by staff members of the EUIPO. The lecturers are two members of operational divisions, messers. Amat Rodríguez and Stamenov, and two members of the Board of Appeal, messers. Stürmann and Humphreys.

## Course objectives

At the end of the course the student has an overview of the functioning and role of EUIPO as an agency of the EU. Students will be familiar with the registration and prosecution process and practice of EU trade marks, and Community Designs, including EUIPO and CJEU Case Law, and the role of the EUIPO Observatory.

The sessions will comprise interactive lectures and the course is concluded through the passing of the online modules of the EUIPO Academy:

- EUTM in a Nutshell (with certificate)
- RCD in a Nutshell (with certificate)

# EPC Claim Drafting

Faculty of Law

## LAW5034

Period 4:

**2 Feb 2026**

**2 Apr 2026**

Credits:

**4.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL, Lecture(s), Assignment(s)**

Assessment methods:

**Assignment**

## Full course description

This course is specific to the MSc track of the IPKM and provides an insight to the theory and practice of drafting patent claims. Students will be offered an insight into the translation of technical specifications in a patent application and the tools to draft a patent application that offers the inventor maximal patent protection for his invention within the framework of the European Patent Convention and in the context of preparation for the European Qualifying Exam.

**Taught by:** Marc van der Velden (European patent attorney; IPMaison); José Paredes Rojas (European patent attorney; Reckitt Benckiser Group plc)

**Teaching methods:** Lectures, tutorials, and assignments

**Assessment method:** Assignments; Claim Drafting Mechanical 50%; Claim Drafting Chemistry 50%.

## Course objectives

At the end of this course, the student is conversant with drafting patent claims after assessing the invention and the prior art while taking into account novelty, inventive step and clarity. The students learn to use the problem-solution approach.

# EPC Opposition

Faculty of Law

## LAW5035

Period 5:

**13 Apr 2026**

**12 Jun 2026**

Credits:

**2.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL, Lecture(s), Assignment(s)**

Assessment methods:

**Assignment**

## Full course description

The module EPC Opposition covers both the technical and legal aspects of raising an opposition to a granted European patent before the European Patent Office.

***Taught by:*** Natasja Duhayon (European Patent Attorney, IMEC)

***Teaching methods:*** Lectures, tutorials, and assignments

***Assessment method:*** Assignments

The course is assessed on the following basis:

Each assignment will amount to 50% of the final score. There will be no written exam.

***Attending the lecture sessions is obligatory***

## Course objectives

At the end of this course, the student, based on the knowledge obtained in earlier modules (in particular in relation to novelty and inventive step) will be conversant with issues such as formal and substantive aspects of opposition. Relevant issues are: priority problems (effective date), prior use, interpretation of prior art, etc. The situation is studied from the perspective of the opponent as well as from the patent proprietor. The student will learn the basics of attacking a patent claim by employing claim construction and formulating reasoned attacks under novelty and inventive step. In addition, aspects of appeal proceedings will be dealt with.

## **Recommended reading**

Standard literature plus additional materials

# IPKM Mock Trial Competition

Faculty of Law

## **LAW5037**

Year:

**1 Sep 2025**

**31 Aug 2026**

Credits:

**2.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

Assessment methods:

# The Innovation Legal Aid Clinic

Faculty of Law

## **LAW5041**

Year:

**1 Sep 2025**

**31 Aug 2026**

Credits:

**2.0**

Coordinator:

**K. TyagiA.W.J. Kamperman Sanders**

Teaching methods:

Assessment methods:

# IPKM/EIPIN Honours Programme

Faculty of Law

## **LAW5048**

Year:

**1 Sep 2025**

**31 Aug 2026**

Credits:

**2.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

Assessment methods:

# Annual IEEM IP Seminar and Professional Update, Macau

Faculty of Law

## **LAW5025**

Period 2:

**27 Oct 2025**

**19 Dec 2025**

Credits:

**3.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**Skills, Training(s)**

Assessment methods:

**Oral exam**

## **Full course description**

Since 2000 the Institute for European Studies of Macao has been organizing every year a two-day seminar on a wide range of topical Intellectual Property Law issues. The seminars have attracted to Macau some of the best experts in the field and the papers presented there have been published in book-form by Kluwer and Hart Publishing. IP Master Classes offer the opportunity to learn from internationally renowned expert speakers in the IP seminar about a particular sub- discipline of intellectual property law. Classes are offered in an intensive Socratic format and include the opportunity to argue mock trials. Taught by: Prof. Anselm Kamperman Sanders (UM) and invited speakers

## **Course objectives**

At the end of this course, the student is able to critically appraise international intellectual property law and practice, and is able to write a brief/argue a mock trial on a case involving a wide range of intellectual property questions.

## **Recommended reading**

Standard literature plus additional materials from the IEEM IP Book Series.

# IP and Computer Science

Faculty of Law

## LAW5033

Period 2:

**27 Oct 2025**

**19 Dec 2025**

Credits:

**4.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL, Lecture(s), Assignment(s)**

Assessment methods:

**Written exam, Assignment**

## Full course description

This course covers the way in which computer-implemented inventions and software can be protected by patents and copyright. This then covers software, games, and artificial intelligence (AI) applications.

Students will be taught through interactive lectures, thought exercises, and a practical assignment. Please note that this course is graded based on one assignment and your oral contributions in class (40%) and a written exam (60%).

The course is taught by Yannis Skulikaris, former Head of Division CII at the EPO, and Prof. Noam Shemtov (Queen Mary, University of London)

## Course objectives

At the end of this course the students should be conversant with the patentability of computer-implemented inventions, and EPO caselaw related to CII. In addition, students can place patent protection next to protection of computer programs (software) by means of copyright and understand the advantages and disadvantages of each method of protection from the perspective of exclusivity, freedom to operate, and commercialization.

# The Law Against Unfair Competition

Faculty of Law

## **LAW5052**

Period 2:

**27 Oct 2025**

**19 Dec 2025**

Credits:

**3.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL**

Assessment methods:

**Presentation**

## **Full course description**

The intensive course on the Law Against Unfair Competition will focus on the way in which the obligations arising from Article 10bis of the Paris Convention have developed over time, and how they have resulted in codified and non-codified means to safeguard the functioning of a competitive market. At the end of the course the student is capable of identifying acts of unfair competition, such as causing confusion, making false allegations, and misleading the public, but also deal with tort concepts such as misappropriation, dilution, and free riding on the coat tails of a competitor.

## **Teaching Method and Grading :**

The course is taught in a Socratic manner and encourages and requires students to actively participate. In order to obtain credits, each student will have to present arguments during a mock trial appearance of 15 minutes and the related brief, or a PPT with presentation for the same time, so that students learn to articulate the above-mentioned concepts in oral and written form.

## **Course objectives**

This course should enable students to understand the way in which the law against unfair competition serves to ensure that the market remains competitive and free from acts that cause market disruptions. Students will also, through comparative study, learn to appreciate that 'unfairness' is a culturally laden term that courts interpret differently depending on interventionist or free market economy thinking.

Students are assessed on their basis of their written and oral presentations in regard of the presentation or mock trial they have been assigned. Importance is attached to structure, content and skills in oral presentation which will enable the instructor to verify whether the intended outcomes have been achieved.

The course is taught by Prof. Christopher Heath and Prof. Anselm Kamperman Sanders

# Intellectual Property in Asia

Faculty of Law

## LAW5047

Period 4:

**2 Feb 2026**

**2 Apr 2026**

Credits:

**3.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL, Lecture(s), Assignment(s)**

Assessment methods:

**Assignment**

## Full course description

This module covers the substantive and procedural aspects of IP protection (patent, trade mark, copyright and competition law) in Asia. As such the module highlights the differences with the European system and presents alternative solutions or problems in a comparative setting.

***Taught by:*** experts from Asia (i.e. Japan or Greater China)

***Teaching methods:*** Lectures, tutorials, and assignments

***Assessment method:*** Assignments.

## Course objectives

At the end of this course, the student is familiar with the most important aspects of intellectual property policy, law and practice in the Asia and is conversant with the most recent developments and legislative initiatives.

# Intellectual Property Institutions and Adjudication

Faculty of Law

## LAW5053

Period 4:

**2 Feb 2026**

**2 Apr 2026**

Credits:

**3.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL**

Assessment methods:

**Written exam**

## Full course description

Different from how intellectual property – or law in general – is taught, this course does not look at domestic laws and individual provisions, but at:

**Institutions** : Who or what are the institutions that administer, govern and drive intellectual property law?

**Principles** : Which are the major principles that govern international intellectual property law?

**Adjudication** : How do national and international enforcement mechanism influence behaviour and compliance?

## Teaching Method and Grading:

The course is taught in a Socratic manner and encourages and requires students to actively participate. The course is graded based on a written exam only.

## Course objectives

This course should enable students to understand at what – or who-has driven the international development of intellectual property law in the last 150 years. The course makes students understand that the fabric of intellectual property law has been a continuously evolving process dominated by certain actors and driven by certain principles. Thereby, students get a better understanding as to why intellectual property has become a field of law that from a niche existence

has pervaded so much of our daily lives. At the end, students should be conversant with the politics, the actors and the principles that drive intellectual property law.

When the course is taught, students will already have become familiar with the basic framework of European intellectual property law. This is the ideal stage to raise - in a Socratic format - critical awareness about underlying assumptions (“Is more IP better?”; “Should IP be likened to property?”) and about at first glance extraneous factors that have an impact on the behaviour of individuals and States (private enforcement structures; investor-state disputes). Students will internalise these points and be able to critically reflect and discuss the intellectual property developments and their impact on society.

Students are assessed on their basis of their written and oral presentations in regard of course modules or the final mock trial. Importance is attached to structure, content and skills in oral presentation which will enable the instructor to verify whether the intended outcomes have been achieved.

# Intellectual Property and Sustainability

Faculty of Law

## LAW5054

Period 4:

**2 Feb 2026**

**2 Apr 2026**

Credits:

**2.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

Assessment methods:

**Participation, Assignment**

## Full course description

This course is intended to introduce you to the core issues surrounding the interaction of the intellectual property system for generation and distribution of technology with the goals of global sustainable development. Global sustainable development, understood as enabling economic growth and development without degradation of the environment and human capital, has often relied on the creation of new technologies to enable these goals. For example, the development of cheaper, highly efficient electric vehicles is a major means by which reduction of greenhouse gas emissions can occur while enabling access to transportation for more people. This raises several key questions which this course will consider:

- How can and should we encourage research and development of technologies that meet our sustainable development goals?
- What technologies does this imply we should be looking at further developing?
- What is the role of the current framework for intellectual property protection as an enabler or a barrier and what changes, if any, to that framework should be made?
- How can and should we seek ways to increase access to relevant technologies?

The course begins with an overview of the sustainable development challenge and an overview of the technologies that are considered most important to that sustainable future.

### ***Assessments***

2 – 3 page policy brief (40%)

- This will be a brief backgrounder designed to inform a policy maker about a specific technology solution for sustainable development of the student's choice. Students are to research the technology, assess its current status as a technology (current, frontier, pre-

commercialization), assess the effectiveness and prospects for adoption. They will present this brief to their fellow students in a 5 minute presentation and respond to questions from the floor

### 3 – 5 page policy brief (40%)

- This policy brief will have a student choose a country, and provide a brief backgrounder on the nature and state of achievement with respect to its climate change commitments in the UNFCCC; what technologies it needs to meet those climate goals; and what its position is on the technology elements of the climate change negotiations.

This policy brief will be due at the end of the IPKM period.

### Participation in Negotiation (20%)

- This will be a Text based negotiation exercise. Students will be given a role to play as a negotiating team representing a particular country. They will be given a pre-written negotiation text with large portions of the text in brackets, as in a traditional negotiating text. Half the exercise will be generating a position and the other half will be directly negotiating with other teams, on a traditional text based negotiation with text thrown up on a screen.

## **Course objectives**

- Students will be familiar with the field of technologies implicated by sustainability concerns
- Students will be familiar with the international legal landscape governing environmental and human rights interactions with the international intellectual property system
- Students will be able to identify and articulate the policy options being discussed for generating and distributing technologies
- Students will be able to articulate the interests of different categories of countries (industrialized and developing)
- Students will demonstrate the ability to write short policy brief papers with respect to two separate identified issues

# Competition Law and IP

Faculty of Law

## LAW5020

Period 5:

**13 Apr 2026**

**12 Jun 2026**

Credits:

**3.0**

Coordinator:

**K. Tyagi**

Teaching methods:

**PBL**

Assessment methods:

**Assignment, Presentation and paper**

Keywords:

**EU competition law, digital economy, regulation**

## Full course description

This module deals with the two facets of innovation law - competition law and intellectual property law. Apparently different on the surface, the two are finely inter-woven by the golden thread on innovation. Whereas, intellectual property law offers an impetus to innovation and creativity, competition law ensures that markets remain innovative and contestable, in other words, competitive.

The learning objectives of this module are four-fold:

First, understanding the intricate relationship between IP and competition law. This aspect centers on the innovation debate.

Second, evaluation of competition law tools to remedy anti-competitive effects in IP-driven markets. This aspect focusses on IP licensing, essential facilities doctrine and agreements.

Third, discussion on the interface of competition and regulation in the context of innovation

Fourth, effective written and oral communication of the study to IP and competition law scholars.

## Course objectives

Following the successful completion of the course, the student is familiar with the interface between competition and intellectual property law; the role of the competition authorities including the

European Commission and the US Department of Justice and the Federal Trade Commission; FRANDly licensing issues and the essential facilities doctrine.

## **Prerequisites**

N/A

## **Recommended reading**

### ***Mandatory reading***

1. Valentina Korah 'Antitrust Considerations: Refusal to License Intellectual Property in the U.S. and EC in Heath and Kamperman Sanders (eds.) *Spare, Repairs and Intellectual Property Rights* (2009)
2. Kalpana Tyagi (2022) 'Aspen: Commission's first on excessive pricing in the pharmaceuticals sector' *European Competition and Regulatory Law Review*
3. Inge Graef 'Rethinking the essential facilities for the EU digital economy' *Revue juridique Thémis de l'Université de Montréal*

### ***Recommended reading***

Jones & Sufrin's EU Competition Law

# IP Entrepreneurship and Management

Faculty of Law

## LAW5036

Period 5:

**13 Apr 2026**

**12 Jun 2026**

Credits:

**4.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL, Lecture(s), Skills, Assignment(s)**

Assessment methods:

**Assignment**

## Full course description

This module covers of the complete idiom of regulation involving valorization of knowledge and IP management; innovation systems (national, emerging, international), R&D, government-university, university-business, entrepreneurship (start-ups, spin-out, spin-in, technology transfer), IP markets, acquisition, maintenance, enforcement and value creation, diffusion and social returns. In particular, the course focuses on new dimensions in innovation law, policy, economics and management.

**Taught by:** Meir Pugatch (UM)

**Teaching methods:** Lectures, tutorials, assignments, and role play

**Assessment method:** Assignments (60%) and role play (40%).

## Course objectives

At the end of this course, the student is familiar with the most important aspects of entrepreneurship, intellectual property strategy, management, technology transfer and bridging the valley of death, and is comfortable with taking a role in representing the interests of R&D firms or individual researchers in government-industry, university-business and other technology transfer relations.

# Intellectual Property in the USA

Faculty of Law

## LAW5046

Period 5:

**13 Apr 2026**

**12 Jun 2026**

Credits:

**3.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

**PBL, Lecture(s), Assignment(s)**

Assessment methods:

**Assignment**

## Full course description

This module covers the substantive and procedural aspects of IP protection (patent, trade mark, copyright and competition law) in the USA. As such the module highlights the differences with the European system and presents alternative solutions or problems in a comparative setting.

**Taught by:** Betsy Rosenblatt (University of Tulsa Law School); Sean Wooden (Katten Muchin Rosenman LLP, Washington)

**Teaching methods:** Lectures, tutorials, and assignments

**Assessment method:** Assignments.

## Course objectives

At the end of this course, the student is familiar with the most important aspects of intellectual property policy, law and practice in the USA and is conversant with the most recent developments and legislative initiatives.

# Intellectual Property Overlaps

Faculty of Law

## LAW5210

Period 5:

**13 Apr 2026**

**12 Jun 2026**

Credits:

**3.0**

Coordinator:

**A.W.J. Kamperman Sanders**

Teaching methods:

Assessment methods:

**Final paper, Assignment**

## Full course description

Picking up threads from the course Copyright and Related Rights and Trademarks, Copyright and Designs, in this course we go a step further, with particular focus on copyright and designs in a digital setting.

### ***Key deliverables from this course include:***

1. An advanced discussion on the design protection, particularly in the context of emerging technologies such as 3-D printing;
2. Mapping out the intermediary liability regime in the internal market;
3. 2019 Copyright in the Digital Single Market Directive - notable provisions such as mandatory exceptions relating to text and data mining, liability of online content sharing service providers and their implementation by Member States and the newly introduced press publishers right;
4. Digital Services Act Package: Interplay between Digital Services Act, the Data Act and Digital Markets Act; Special Focus: Very Large Online Platforms
5. Copyright and Artificial Intelligence; and
6. Discussing IP Overlaps. Taking NFTs (non-fungible tokens), an emerging technology, as case study to illustrate IP overlaps.

***Taught by:*** Dr. Kalpana Tyagi and Prof. Dr. Alison Firth (U.Newcastle, U.Surrey (Emeritus), Barrister London)

***Assessment Method:*** 4 written assignments. Two of these assignments will also include an oral presentation and live discussion.

## **Course objectives**

Following the successful completion of this course, the student:

- can place design rights in an international and national perspective
- appreciate the interface between design rights and copyright protection
- understand and decode recent legislative measures such as the 2019 EU Copyright in the Digital Single Market Directive
- understand and appreciate how the Digital Services Act will govern the digital gatekeepers (referred to as very large online platforms, and whether they are the same as, or distinct from the digital gatekeepers under the DMA) and promote innovation by small and medium enterprises
- able to articulate both in writing as well as orally on the above referred issues and apply the knowledge in a practical real world setting

# Legal English and Methodology

Faculty of Law

## LAW5091

Period 1:

**1 Sep 2025**

**24 Oct 2025**

Credits:

**0.0**

Coordinator:

**A. MoerlandA.W.J. Kamperman Sanders**

Teaching methods:

Assessment methods:

**Final paper**

## Full course description

This course is divided into two components: a legal English component, taught by the Maastricht University's language centre, and a methodology component, taught by IPKM staff.

During the legal English component of this course, students will learn to:

- structure their ideas in order to write clear sentences and cohesive paragraphs and to create 'flow';
- effectively use academic writing style characterized by precise, concise and formal language;
- use footnotes and referencing;
- report on previous literature and convey an assessment of the reported research; and
- express different functions in academic and scientific texts, such as defining, exemplifying, and comparing.

The methodology component will inter alia address the following issues:

- how to choose the legal systems to include in the research;
- identification of sources to be consulted;
- how to find the relevant materials;
- how to use online resources and legal databases;
- the identification of economic research that is useful in describing or understanding intellectual property law and innovation systems;
- how to describe the relationship between legal literature and case law; and
- how to deal with the interplay between international intellectual property law, EU law and the laws of the EU Member States.

# Master Thesis IPKM

Faculty of Law

## **LAW5095**

Year:

**1 Sep 2025**

**31 Aug 2026**

Credits:

**6.0**

Coordinator:

Teaching methods:

Assessment methods:

