

Postgraduate Diploma in Intellectual Property Law and Practice

Programme Specification

General Details

1. Awarding Institution:	University of Oxford
2. Teaching Institution:	University of Oxford
3 Programme accredited by	n/a
4. Final Award:	Postgraduate Diploma
5. Programme title	Postgraduate Diploma in Intellectual Property Law and Practice
6. UCAS Code:	n/a
7. Relevant subject benchmarking statements:	None
8. Date of programme specification:	February 2008

9. **Educational aims of the programme**

Subject specific:

- To provide students with an advanced knowledge and understanding of core aspects of intellectual property (“IP”) law and practice.
- To encourage and enable students to use IP law in the mediation of competing interests.
- To provide students with an appreciation of the role of IPRs in different commercial and other professional contexts, and encourage their development of the necessary intellectual and practical skills for analysing and harnessing that role.
- To enable students to develop both a generalist’s understanding of IP practice, and a specialist’s comprehension of certain technical and procedural skills.

General:

- To enable students to develop the knowledge and skills necessary for practice in IP law.
- To encourage students to think pragmatically about the law.
- To enable students to develop their confidence and proficiency in advising on legal issues.
- To enable students to develop their capacity to devise and sustain legal arguments and solve legal problems in various professional contexts.
- To encourage students to take responsibility for their own learning, and for their own personal and professional development generally.
- To give students the necessary skills for employment, and for developing other aspects of their professional lives.

10. **Programme outcomes**

10A **Students will develop a knowledge and understanding of:**

- Intellectual property law as an intellectual discipline, including the law of patents, designs, copyright, and trade marks (a comprehensive list of course components is given under 11. below).

Related teaching/learning methods and strategies:

Teaching will be provided through a series of lectures over a 10-day residential programme (described in greater detail under 11. below), delivered by members of the Law Faculty and

by senior IP practitioners. The intensive nature of this schedule, and the fact that the lectures will be delivered in close succession, will help students to contextualise the various course elements and make conceptual links between them, whilst the lectures themselves constitute an appropriate means of delivery for this more theoretical element of the course.

- The various practical applications of intellectual property law that practitioners in the field can expect to encounter.

Related teaching/learning methods and strategies:

This element of the course will be taught by means of a series of five workshops, each comprising two three-hour seminars in small groups, taught by experienced practitioners in the field of Intellectual Property Law. The workshops will enable students to build on the theoretical grounding they will have gained from the lectures described above, and to apply the concepts acquired in practical contexts. Seminars provide an appropriately interactive forum for this activity, allowing students to discuss with their teachers and with one another their ideas as applied to particular cases and problems. Each workshop will be integrated with practical exercises (see below), which require reading and preparation before the workshop, and which call for application of the understanding developed in the residential programme.

Assessment

Summative assessment is provided by means of two two-hour timed examinations and the submission of four pieces of coursework, of 3,000 words each. The timed examinations, held at the end of the programme, will be the principal test of the more theoretical elements of the course. Each piece of coursework will relate to one of the five workshops and will take the form of a practical exercise, such as the drafting of statements of case or instructions to counsel. Work on the coursework assignments will begin with reading before the workshop, and will be completed after the workshop. Formative assessment is provided through the five workshops and the additional revision workshop preceding the examination, which will enable students to receive feedback on their ideas and thinking in respect of the particular cases discussed in the seminar sessions.

10B Skills and other attributes

(i) Intellectual skills

- Analytical skills: defining, analysing and solving problems
- Qualitative skills: the exercise of judgement, the weighing of evidence, and the development of reasoned argument
- Conceptual skills: the capacity to engage with intellectually sophisticated ideas and arguments and to formulate conceptual frameworks for the rigorous analysis of certain complex legal, practical and procedural issues concerning IP.

Teaching/learning methods and strategies used to enable students to gain these skills:

- Lectures – a programme of lectures on the core legal doctrines of Intellectual Property rights
- Workshops – a series of workshops which afford participants an opportunity to apply what they've learnt in the lectures to case-studies and sample problems.

Assessment

- Timed examination, requiring students to demonstrate their ability to synthesise and interpret what they've learned, and to produce clear and reasoned arguments
- Coursework submissions, which allow students to demonstrate what they've gained from the workshops by requiring them to undertake an in-depth study of a particular topic.

(ii) **Practical skills**

- A capacity to devise and sustain legal arguments and solve legal problems in different professional contexts
- An ability to evaluate in terms of doctrinal and practical coherence, and to present alternatives from a client's perspective
- An ability to bring together knowledge of law and procedure in complex technical situations
- An ability to identify issues in technical terms and to integrate new material.

Teaching/learning methods and strategies used to enable students to gain these skills:

- Lectures – a programme of lectures which prepare the ground for the acquisition of practical skills developed through the workshop sessions.
- Workshops – a series of workshops which offer a more hands-on experience of IP, thereby requiring participants to engage with problems directly and to develop the skills needed to undertake such engagement.

Assessment

- Timed examination, requiring students to demonstrate their capacity to sustain an argument and to apply legal and procedural knowledge.
- Coursework submissions, which allow students to demonstrate in-depth understanding of particular areas of the subject and test their capacity to sustain an argument over a longer piece of work.

(iii) **Transferable skills**

- An ability to create new or imaginative solutions through approaching a problem or using material in different ways.
- An ability to present knowledge with a range of professional presentation skills (oral and written) demonstrated.
- An ability to write fluent and technically sophisticated prose.
- An ability to work diligently and independently to produce work of a high quality that demonstrates the above skills and qualities, and to reflect critically on the feedback received in respect of that work.

Teaching/learning methods and strategies used to enable students to gain these skills:

- Lectures – a programme of lectures which encourage students to think imaginatively and creatively about IP.
- Workshops – a series of workshops which provide an opportunity for developing presentation skills, and to receive and respond to feedback.

Assessment

- Timed examination, requiring students to demonstrate their ability to write fluently, and testing their capacity to think intelligently about the subject in a pressurized situation.
- Coursework submissions, which provide an assessment of student's capacity to conduct legal research, and to complete extended work of a kind regularly required in practice (such as advice to clients and instructions to counsel).

11. Programme structures and features

The programme will be offered on a part-time basis and has two components:

a) *Residential programme*

This will comprise a ten-day programme (over a two week period) providing intensive teaching over 10 days in all areas of IP law and covering the following topics:

- Licensing of IP: commercial and competition aspects
- Conducting patent infringement actions
- Trade secrets
- Designs
- Copyright
- Trade marks
- Copyright protection for computer software and databases
- Jurisdiction
- Conducting IP litigation (other than patent litigation)
- Passing-off
- IP and the Internet
- International and European aspects of IP
- Taxation and IP
- Using IP as security
- IP aspects of corporate transactions

Each day will be divided into two three-hour lectures covering one or more of the topics above.

b) *Workshops*

There will be five workshops which will focus on practical and procedural issues relating to the following topics:

- Patents 1
- Patents 2
- Trade marks and passing-off
- Copyright and designs
- Corporate aspects of IP

Each workshop day will be broken into two three-hour seminars and devoted to one of these topics. The seminars will be led by experienced practitioners in the field of Intellectual Property law and will involve discussion of particular case studies and scenarios as well as various practical exercises, involving written and oral presentations. There will be opportunities for students to present their own ideas for discussion by groups of their peers and by those running the seminars, and to receive feedback from the discussion. A sixth workshop, held at the end of the programme, will cover revision for the examination.

Assessment

The course is assessed by the following means:

a) Coursework submission

Each candidate must submit four written projects of 3,000 words each on topics arising from the workshop sessions. Two of the projects must be submitted in Michaelmas Term and two

in Hilary Term.

b) Timed examination

Candidates are required to undertake two two-hour timed examinations in June, which will consist of two written papers on elements of the courses covered in the residential programme (candidates will be required to answer two questions on each).

12. **Support for students and their learning**

The Bodleian Law Library, a research library of international importance, provides all students with access to a book and journal collection covering all of their conceivable academic needs, almost all on open shelves. It also has many CDROM and web resources on site-license. In term time, the Library is open into late evening during the week and during the day at weekends. It also remains open weekdays until 7pm during the vacations. The professional library staff provide induction tours for newly arrived students, as well as ongoing help and advice.

St Catherine's College will provide the students with IT services during the residential programme.

13. **Criteria for admission**

Intellectual

A good undergraduate degree (at least a 2i) or equivalent is required.

Professional experience

Candidates must be qualified lawyers (so that they will have passed the professional training programmes: the Legal Practice Course for solicitors, or the Bar Vocational Course for barristers) practising in the UK in the field of Intellectual Property.

Candidates will be expected to submit a 500-word essay detailing their reasons for applying for the course, their career intentions, and the contribution that they anticipate the Diploma making to their career development. The essay will demonstrate their ability to think and express themselves clearly in writing.

English Language proficiency

The programme is taught in English. Candidates for whom English is not their first language are required to take either the TOEFL or IELTS tests. The required standard is TOEFL English Language at 630 points or IELTS at 7.5.

14 **Methods for Evaluating and Improving the Quality and Standards of Learning**

Responsibility for the course will be vested in the Social Sciences Division. The Divisional Board has responsibility for the maintenance of educational quality and standards in its broad subject area. At a more immediate level, the Diploma will be administered by the Diploma Management Committee ("DMC") comprising two members of the Law Faculty's IP Subject Group, the Director of Graduate Studies for Taught Courses, and two representatives of the IPLA. The Committee will report to the Law Board in the first instance (which in turn will report to the Divisional Board or Committees of the Board).

The DMC will:

- Consider teaching requirements of the Diploma programme and ensure that teaching is organised and carried out effectively;
- Be responsible for admissions to the Diploma, taking account of any University regulations and admissions guidelines and quotas proposed by the Law Board;
- Initiate desired changes to existing programmes and keep under review overall quality of the courses, taking into account evaluation by course participants;
- Consider, and where necessary seek further clarification, on the reports of examiners for the Diploma and take appropriate action, including advising Law Board;
- Formulate and keep under review assessment regimes;
- Formulate and review course handbooks annually;
- Formulate and review programme specifications annually;
- Prepare a schedule of, and timetable for, lecturing and other teaching each term;
- Be responsible for the allocation and award of scholarships and studentships;
- Take minutes of all meetings and forward minutes, and such other reports as may be necessary, to the Law Board.

15. Regulation of assessment

The Diploma requires four coursework submissions and two timed examinations of two hours each; the coursework submissions comprise Part I of the course and the timed examinations Part II, and candidates are required to have passed Part I of the course before they are admitted to Part II. The coursework submissions will be on topics approved by the examiners.

There will be a board of examiners responsible for the setting of papers and for the marking of scripts; this will include an external examiner who will ensure that the standards applied are appropriate in comparison with the standards of comparable institutions and qualifications.

Marking Convention

Distinction:

80-100	Outstanding work
75-79	Excellent work
70-74	Fine work

Pass level:

65-69	Strong pass
55-64	Satisfactory pass
50-54	Pass

Fail:

45-49	Fail
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- Examined papers and coursework will each count towards 50% of the final result (Distinction, Pass, Fail).
- The examination papers will normally be double-marked.
- Candidates must pass in all written papers and coursework submissions in order to attain the Diploma.
- Examiners may, at their discretion, award a Distinction to a candidate for overall performance in the Diploma. Criteria for distinction shall be: at least three marks of 70 or over; no mark less than 55.
- Candidates are permitted to resubmit or retake failed assessment items once only, and must do so within one year of the original assessment date.

- The examiners may choose to examine any candidate viva voce.

16. **Indicators of quality and standards**

The Diploma in Intellectual Property Law and Practice is a new course and consequently has not yet been assessed. However, it is supported by the Intellectual Property Lawyers' Association, the leading professional association for practitioners of IP practice, in which 58 law firms are represented. Its members play an active role in the delivery of the course and serve on the Diploma Management Committee.