



KAPITAŁ LUDZKI
NARODOWA STRATEGIA SPÓJNOŚCI

Projekt współfinansowany przez
Unię Europejską w ramach
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Społecznego

UNIA EUROPEJSKA
EUROPEJSKI
FUNDUSZ SPOŁECZNY



Course title		ECTS code	
CIELSP303 The Revolution of IP Law		10.0.6586	
Name of unit administrating study			
null			
Studies			
faculty	field of study	type	jednolite studia magisterskie
Wydział Prawa i Administracji	Prawo	form	stacjonarne
		specjalty	wszystkie
		specialization	wszystkie
Teaching staff			
dr hab. Tomasz Widlak, profesor uczelni; dr Małgorzata Węgrzak			
Forms of classes, the realization and number of hours		ECTS credits	
Forms of classes		3	
Lecture			
The realization of activities			
classes outside UG premises, classroom instruction, online classes			
Number of hours			
Lecture: 15 hours			
The academic cycle			
2022/2023 winter semester			
Type of course		Language of instruction	
an elective course		english	
Teaching methods		Form and method of assessment and basic criteria for evaluation or examination requirements	
<ul style="list-style-type: none"> - critical incident (case) analysis - discussion - group work - multimedia-based lecture - problem-focused lecture - project-based method (research, implementation, practical project) - seminar lecture - text analysis and discussion 		Final evaluation	
		Graded credit	
		Assessment methods	
		<ul style="list-style-type: none"> - ssignment work – conducting research and presenting results - (mid-term / end-term) test - assignment work – project or presentation - assignment work – completing a specific practical assignment - graded course credit based on individual grades obtained during the semester - oral course credit 	
		The basic criteria for evaluation	
		Grading scale: (A) very good (5.0) - 91% and more, (B) good plus (4.5) - 81% - 90%, (C) good (4.0) - 71% - 80%, (D) satisfactory plus (3.5) - 61% - 70%, (E) satisfactory (3.0) - 51% - 60%, (F) insufficient (2.0) - 50% and less. The percentage determines the percentage of knowledge and skills required for a given assessment. Percentages are rounded up to whole numbers in accordance with the generally applicable rounding rules.	
Method of verifying required learning outcomes			

expected educational result	Project approach (research project, implementation project, practical project)	Discussion	Analysis of documents	Team work	Problematic lecture	conversational lecture	Analysis of critical incidents (cases)	Lecture with multimedia presentation
Knowledge								
K_WG01	x	x	x	x	x	x	x	x
K_WG02	x	x	x	x	x	x	x	x
K_WG04	x	x	x	x	x	x	x	x
K_WG05	x	x	x	x	x	x	x	x
K_WG06	x	x	x	x	x	x	x	x
K_WG07	x	x	x	x	x	x	x	x
K_WG08	x	x	x	x	x	x	x	x
K_WK10	x	x	x	x	x	x	x	x
						x	x	x
Skills								
K_UW01	x	x	x	x	x	x	x	x
K_UW02	x	x	x	x	x	x	x	x
K_UW03	x	x	x	x	x	x	x	x
K_UW04	x	x	x	x	x	x	x	x
K_UW05	x	x	x	x	x	x	x	x
K_UW06	x	x	x	x	x	x	x	x
K_UK07	x	x	x	x	x	x	x	x
K_UK10	x	x	x	x	x	x	x	x
K_UO11	x	x	x	x	x	x	x	x
K_UU12	x	x	x	x	x	x	x	x
Competences								
K_KK01	x	x	x	x	x	x	x	x
K_KK02	x	x	x	x	x	x	x	x
K_KK03	x	x	x	x	x	x	x	x
K_O04	x	x	x	x	x	x	x	x
K_KR05	x	x	x	x	x	x	x	x
K_KR06	x	x	x	x	x	x	x	x
K_KR07	x	x	x	x	x	x	x	x

Required courses and introductory requirements

A. Formal requirements

No requirements.

B. Prerequisites

No requirements.

Aims of education

The aim of the course is to present current trends and challenges of IP law and analyses how the fourth industrial revolution changes the framework of intellectual property rights in the context of data, technological development and digital environment. Artificial Intelligence, Big data and data

mining, Internet of Things, smart contracts and blockchains are already affecting business models and leading to social and economic transformation in IP law. As a result revisiting a traditional approach to IP legal system and the protection of inventions is needed to face the current changes. The course also aims to introduce students to the basic principles of intellectual property law in the information society, including international and European Union law. To present the challenges of evaluating intellectual property law in the digital environment, taking into account the development of new technologies, human rights, especially the respect for freedom of expression and privacy, ethics and access to content on the Internet.

Course contents

The course covers issues of international and EU intellectual property law - legal regulations with reference to case law.

A. International copyright law, in particular:

- Berne Convention of 1886.
- Universal Convention of 1952
- Rome Convention of 1961
- Geneva Convention 1971
- Brussels Convention of 1974
- TRIPS Agreement of 1994
- WIPO Treaties of 1996

B. EU copyright law , including EU Directives

- a. Directive on the legal protection of computer programs (1991)
- b. Directive on tenancies and certain related rights in the field of intellectual property (1992)
- c. Directive coordinating certain provisions of copyright and related rights in respect of satellite broadcasting and cable distribution (1993)
- d. Directives harmonising the term of protection of copyright and certain related rights (2006 and 2011)
- e. Directive concerning the legal protection of databases (1996)
- f. Directive on the harmonisation of certain aspects of copyright and related rights in the information society 2001/29/EC of the EP and of the Council (2001)
- g. Directive on the resale right for the benefit of the author of an original work of art (2001)
- h. Directive on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission (1993)
- i. Directive concerning the enforcement of intellectual property rights (2004)
- j. Directive on collective management of copyright and related rights and multi-territorial licensing of online rights in musical works for use in the internal market (2014)
- k. Directive on copyright and related rights in the digital single market (2001)

C. Intellectual property law in the background of the law of new technologies and the information society (2019)

C. INTRODUCTION TO NEW TECHNOLOGY LAW

- a. New technology law - a new field of law or IP evolution?
- b. Sources of new technology law in EU and national law.
- c. Legal issues of the information society (social networks, information networks, blogs, computer games, websites, right to be forgotten).
- d. Assignment, licensing and other contracts in the trading of intellectual property rights, including employee contracts.
- e. Copyright on the Internet
- f. Specific aspects of IT contracts, including IT system maintenance and service contracts
- g. Disputes over intellectual property rights infringements (case-study)
- h. Introduction to ARTIFICIAL INTELLIGENCE LAW

Bibliography of literature

Literature

Hugenholtz B., Trends and Developments in Artificial Intelligence Challenges to the Intellectual Property Rights Framework Final report. 2020.

Goldstein, P., & Hugenholtz, P. B. (2019). International copyright: Principles, Law, and Practice. (4th ed.) New York, NY: Oxford University Press

Rosati E., Copyright as an Obstacle or an Enabler? A European Perspective on Text and Data Mining and Its Role in the Development of AI Creativity, 2019, Asia Pacific Law Review

Rosati E., Copyright in the Digital Single Market. Article-by-Article Commentary to the Provisions of Directive 2019/790, Oxford 2019

Rosati E., Copyright and the Court of Justice of the European Union, Oxford 2019

Hugenholtz, P. B., & Quintais, J. P. (2021). Copyright and Artificial Creation: Does EU Copyright Law Protect AI-Assisted Output? IIC, 52(9), 1190-1216.

Dinwoodie G. B., Hennessey W. O., Perlmutter S. (eds.), International Intellectual Property Law and Policy, LexisNexis 2001

S. von Lewinski, M. Walter (eds), European Copyright Law: A Commentary, Oxford University Press, Oxford 2010

Supplementary literature:

S. Ricketson, J. Ginsburg, International Copyright and Neighbouring Rights: The Berne Convention and Beyond, Oxford University Press 2006

The learning outcomes (for the field of study and specialization)	Knowledge
<p>KNOWLEDGE</p> <p>K_WG01</p> <p>has in-depth and ordered knowledge of the nature of legal sciences, their place in the system of sciences and relations to other sciences</p>	<p>KNOWLEDGE</p> <p>K_WG01</p> <p>has in-depth and ordered knowledge of the nature of legal sciences, their place in the system of sciences and relations to other sciences</p> <p>K_WG02</p> <p>knows the terminology and concepts of law and related fields to an extended degree</p>

<p>K_WG02 knows the terminology and concepts of law and related fields to an extended degree</p> <p>K_WG03 has in-depth knowledge about the system of powers in Poland, with particular emphasis on legislative and judicial power</p> <p>K_WG04 knows the system of Polish law, interrelationships within this system and connections between Polish law and European Union law and international law</p> <p>K_WG05 has structured knowledge of the types of legal relations and regularities that govern them</p> <p>K_WG06 has structured knowledge about person as an entity constituting social structures and the principles of their functioning, as well as about person as an entity functioning in these structures</p> <p>K_WG07 knows methods and tools, including techniques for obtaining data and information, and research methods appropriate for legal sciences and related fields</p> <p>K_WG08 has in-depth knowledge of the sources of Polish law, its changes and the process of its creation</p> <p>K_WG09 has in-depth and ordered knowledge of the processes of change in power systems and its individual organs as well as the consequences of these changes</p> <p>K_WK10 knows and understands the basic concepts and principles in the field of protection of industrial property and copyright and understands the need for proper protection of intellectual property and management of its resources</p> <p>K_WK11 has in-depth knowledge of the principles of creating and developing basic forms of individual entrepreneurship</p> <p>K_WK12 has knowledge of health and safety at work in public administration institutions</p> <p>K_WK13 has in-depth knowledge of the functioning of self-governments of legal professions, knows the rules of exercising the profession of judge and prosecutor, has knowledge about the organization of justice in Poland</p> <p>SKILLS</p> <p>K_UW01 has deepened skills in observing and interpreting social phenomena, analyzes their connections with various areas, branches of law and related sciences</p> <p>K_UW02 is able to use and integrate theoretical knowledge of law and related scientific disciplines to analyze and interpret complex legal problems</p> <p>K_UW03 is able to use complex theoretical approaches to analyze, interpret and design legal strategies; can generate solutions to specific problems related to the law and forecast the course of their solutions and predict the effects of planned</p>	<p>K_WG04 knows the system of Polish law, interrelationships within this system and connections between Polish law and European Union law and international law</p> <p>K_WG05 has structured knowledge of the types of legal relations and regularities that govern them</p> <p>K_WG06 has structured knowledge about person as an entity constituting social structures and the principles of their functioning, as well as about person as an entity functioning in these structures</p> <p>K_WG07 knows methods and tools, including techniques for obtaining data and information, and research methods appropriate for legal sciences and related fields</p> <p>K_WG08 has in-depth knowledge of the sources of Polish law, its changes and the process of its creation</p> <p>K_WK10 knows and understands the basic concepts and principles in the field of protection of industrial property and copyright and understands the need for proper protection of intellectual property and management of its resources</p> <p>Skills</p> <p>SKILLS</p> <p>K_UW01 has deepened skills in observing and interpreting social phenomena, analyzes their connections with various areas, branches of law and related sciences</p> <p>K_UW02 is able to use and integrate theoretical knowledge of law and related scientific disciplines to analyze and interpret complex legal problems</p> <p>K_UW03 is able to use complex theoretical approaches to analyze, interpret and design legal strategies; can generate solutions to specific problems related to the law and forecast the course of their solutions and predict the effects of planned activities</p> <p>K_UW04 efficiently uses legal and professional principles and norms in undertaken professional activity</p> <p>K_UW05 can analyze and has the ability to diagnose moral and legal dilemmas in professional work</p> <p>K_UW06 is able to assess the usefulness of typical procedures and good practices for the implementation of complex tasks related to various areas related to law and related fields</p> <p>K_UK10 has language skills in the fields of science and scientific disciplines relevant to the field of study being studied, in accordance with the requirements set for level B2 + of the European Language Description System</p> <p>K_UO11 is able to cooperate in a team and is able to coordinate the work of the team in solving legal problems, interpreting legal acts, preparing a written or oral position on</p> <p>K_UU12 is able to efficiently acquire knowledge and develop his professional skills using a variety of sources (in native and foreign languages) and modern technologies</p> <p>Social competence</p> <p>K_KK01 has deepened awareness of his/her knowledge and skills and understands the need for lifelong learning</p> <p>K_KK02 is aware of the need to broaden professional competences and qualifications, as well as to improve skills; he/she is able to independently determine the directions of</p>
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<p>activities</p> <p>K_UW04 efficiently uses legal and professional principles and norms in undertaken professional activity</p> <p>K_UW05 can analyze and has the ability to diagnose moral and legal dilemmas in professional work</p> <p>K_UW06 is able to assess the usefulness of typical procedures and good practices for the implementation of complex tasks related to various areas related to law and related fields</p> <p>K_UK07 has developed the ability to understand and analyze social phenomena and to use this analysis in professional work</p> <p>K_UK08 has an in-depth ability to prepare various essays in Polish and in a foreign language related to his work</p> <p>K_UK09 has deepened ability to prepare oral presentations, in Polish and in a foreign language, in the field of law and related sciences</p> <p>K_UK10 has language skills in the fields of science and scientific disciplines relevant to the field of study being studied, in accordance with the requirements set for level B2 + of the European Language Description System</p> <p>K_UO11 is able to cooperate in a team and is able to coordinate the work of the team in solving legal problems, interpreting legal acts, preparing a written or oral position on</p> <p>K_UU12 is able to efficiently acquire knowledge and develop his professional skills using a variety of sources (in native and foreign languages) and modern technologies</p> <p>COMPETENCES</p> <p>K_KK01 has deepened awareness of the level of their knowledge and skills, and also understands the need for lifelong learning</p> <p>K_KK02 is aware of the need to expand professional competences and qualifications as well as improves skills, is able to independently determine the directions of their own development and education in an extended and in-depth degree</p> <p>K_KO03 is ready to actively participate in groups, organizations and institutions carrying out professional activities related to law, at the same time is able to communicate with people who are not specialists in the field of law</p> <p>K_KO04 is ready to undertake the preparation of own social projects, taking into account legal, economic and political aspects, including the preparation and implementation of projects co-financed by the European Union</p> <p>K_KR05 prepares responsibly for his work, is able to set priorities at work which is properly laid out</p> <p>K_KR06 is convinced of the importance of behaving in an ethical and</p>	<p>his/her own development and education in an extended and deepened degree</p> <p>K_KO03 is ready to actively participate in groups, organizations and institutions carrying out professional activities related to law, at the same time is able to communicate with people who are and are not specialists in the field of law</p> <p>K_KO04 is ready to undertake own social projects, taking into account legal, economic and political aspects, including preparation and implementation of projects co-financed by the European Union</p> <p>K_KR05 prepares responsibly for his/her work, is able to identify priorities in his/her work, and to plan it properly</p> <p>K_KR06 is convinced of the importance of acting in an ethical and professional way, acts in accordance with ethical principles</p> <p>K_KR07 is ready to undertake professional challenges, undertakes effort and shows persistence in individual and team actions in the field of law and related sciences</p>
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<p>professional manner, acting in accordance with the principles of ethics</p> <p>K_KR07</p> <p>is ready to take on professional challenges, undertakes efforts and is characterized by perseverance in the implementation of individual and team activities in the field of law and related sciences</p>	
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