



**ACADEMIC PROGRAMME MAGISTER LVCENTINVS:
MASTER ON INTELLECTUAL PROPERTY
AND DIGITAL INNOVATION
UNIVERSITY OF ALICANTE
ACADEMIC COURSE 2022-2023**

TECHNICAL AND DIGITAL INNOVATIONS

PATENTS, TECHNOLOGY TRANSFER AND DIGITAL INNOVATIONS

I. PATENTS LEGAL FRAMEWORK

- Patents: National, European and International framework;
- Patents: concept and patentability requirements;
- Employee inventions;
- Patent granting procedures: Spanish (OEPM), European Union (EPO) and International (OMPI);
- Patent enforcement: actions against infringement in European and International proceedings. Focus on infringement in the digital market and new technologies;
- Rights management: patents as property right: transfer and licensing contracts;
- License agreements and unfair competition:
 - Patent pools;
 - Standard Essential Patents (SEP);
 - Fair, Reasonable and Non-Discriminatory Licensing (FRAND);
 - Patent trolls.
- Technology Transfer Agreements;
- Limitations to patent rights;



- Revocation and Invalidity;
- Other patents protection systems, a comparative approach: Russia, India, USA.

II. OTHER SYSTEMS FOR PROTECTING INNOVATIONS

- Utility models;
- Supplementary Protection Certificates (SPC) and protection of Topographies of Semiconductor Products;
- Trade secrets.

III. INNOVATION IN DIFFERENT INDUSTRIES

- TRIPS and public health;
- Biotechnology patents;
- Chemical and pharmaceutical patents;
- Nanotechnology patents;
- Software patents.

IV. DIGITAL INNOVATIONS

- Artificial intelligence: fundamentals;
- Big data. Data protection;
- Smart contracts;
- Blockchain.
- Cybersecurity

TRADE MARKS AND DESIGNS

I. DISTINCTIVE SIGNS

TRADE MARKS

- Spanish, European and International framework;
- Concept. Economic function and categories of trade marks;
- Absolute grounds. Non-conventional trade marks;
- Relative grounds;
- Trade marks granting procedures: National (OEPM), European (EUIPO) and International (OMPI);



- Rights conferred by a trade mark. Trade marks with reputation;
- Trade mark enforcement: actions against infringement in European and International proceedings. National, International and European Alternative Dispute Resolution in Intellectual Property
- Trade marks infringement in the digital market. Trade marks and metaverse
- Trade mark protection in the activity of influencers
- Trade marks as property right: joint proprietorship, transfer and licensing;
- Trade mark limitations: exhaustion of the rights conferred by a trade mark;
- Revocation and Invalidity;
- Trade marks in the pharmaceutical sector;
- Other trade mark protection systems, a comparative approach: USA, Germany, France, UK.

II. OTHER DISTINCTIVE SIGNS

- Trade names;
- Domain names;
- Shop sign.

III. AESTHETIC CREATIONS: DESIGNS

- Design reform in the European Union
- Concept, categories and difference with similar rights;
- Protection requirements;
- Designs granting procedure: Spain, European Union and International system;
- Substantive rights (registered and unregistered design);
- Trade mark enforcement: actions against infringement in European and International proceedings.
- Design infringement in the digital market
- Design as property right: joint proprietorship, transfer and licensing;
- Revocation and Invalidity;
- Strategies to protect shapes throughout different Intellectual Property rights.



COPYRIGHT AND COMPETITION LAW

I. COPYRIGHT

- National, European and International framework;
- Protection requirements;
- Personal and economic rights;
- Moral rights. Artificial Intelligence and IP;
- Exploitation rights. Limits: focus on private copying;
- Duration of copyright protection.
- Copyright protection in the digital market;
- Rights management: Copyright as property right. Transfer. Public domain and creative commons;
- Trade mark enforcement: actions against infringement in European and International proceedings
- Copyright infringement in the digital market
- Digital markets and services
- E-commerce platforms and other service providers in the digital framework
- Collective Management of Copyright and Related Rights
- Artist, interpreters and performers rights
- Copyright related rights
- Protection of online reputation

II. INTELLECTUAL PROPERTY, COMPETITION AND ADVERTISING LAW

- Competition Law and Digital Platforms
- Competition law and Intellectual property law: collusive practices and abuse of dominant position
- Distribution agreements, free competition and intellectual property rights;
- Competition law and new assets: data.
- Competition law and digital markets and services (digital platforms)
- Unfair competition, Intellectual property and Digital Platforms
 - General definition of unfair competition;
 - Unfair competition: cases;
 - Trade secrets and unfair competition;



- Digital Platforms and unfair competition law
- Actions against unfair competition.
- Advertising: legal framework
- Advertising Management in a Digital Environment
- Advertising on digital platforms: video-games.

LEGAL REGIME OF PLANT BREEDING AND DISTINCTIVE QUALITY SIGNS

I. PLANT VARIETIES LEGAL FRAMEWORK

- Plant varieties: National, European and International framework;
- Protection requirements;
- Registration procedure;
- Scope of protection;
- Plant varieties as property rights;
- Plant varieties conservation;
- Revocation and Invalidation.

II. PLANT PATENTS LEGAL FRAMEWORK

- Legal framework;
- Protection requirements;
- Registration procedure;
- Scope of protection of plant patents;
- Plant patent as property right: Compulsory licenses;
- Revocation and Invalidation
- Food security and patents.

III. GEOGRAPHICAL INDICATIONS LEGAL FRAMEWORK

- Legal framework (National, European and International framework)
- Requirements of the sign;
- Registration and modification of product specifications;
- Control of geographical indications;
- Scope of protection: content and limits;
- Cancellation;



- Enforcement of geographical indications.

IV. OTHER DISTINCTIVE SIGNS TO PROTECT QUALITY

- Collective trade marks (National, European and International framework);
- Guarantee or certification trade marks (National, European and International framework);
- Other legal systems to protect quality:
 - Traditional specialty guaranteed;
 - Optional quality terms;
 - Traditional terms for wine.
- Traditional knowledge
- Intellectual property and commercial advertising

MASTER'S THESIS