

LW5663Y: PATENT LAW IN EUROPE

Effective Term

Semester A 2026/27

Part I Course Overview

Course Title

Patent Law in Europe

Subject Code

LW - Law

Course Number

5663Y

Academic Unit

School of Law (FL)

College/School

School of Law (FL)

Course Duration

One Semester

Credit Units

1.5

Level

P5, P6 - Postgraduate Degree

Medium of Instruction

English

Medium of Assessment

English

Prerequisites

LW5602A Law of Contract I or equivalent. Some courses under this intensive seminar may have specific pre-requisite. Students should refer to the individual course information for details.

Part II Course Details

Abstract

Patent Law in Europe will be covered in two closely linked parts. The first focuses on the acquisition of patent rights in Europe, the substantive requirements of protection and the prosecution before the European Patent Office (EPO). The second focuses on enforcement of patent rights in individual member states to the European Patent Convention, and on enforcement of unitary patents before the Unified Patent Court (UPC).

Course Intended Learning Outcomes (CILOs)

CILOs		Weighting (if DEC-A1 app.)		DEC-A2	DEC-A3
1	Describe and explain the basic concepts and principles related to the given seminar			x	
2	Apply the concepts and principles to solve hypothetical or real situations			x	x
3	Communicate ideas, arguments or advice clearly and coherently both orally and in writing		x	x	x
4	Critically analyse and evaluate concepts, principles and policy underpinning the area of law covered by the seminar		x	x	x

A1: Attitude

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: Ability

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.

A3: Accomplishments

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

Learning and Teaching Activities (LTAs)

LTAs		Brief Description	CILO No.	Hours/week (if applicable)
1	Interactive Seminar		1, 2, 3, 4	

Assessment Tasks / Activities (ATs)

ATs		CILO No.	Weighting (%)	Remarks	Allow Use of GenAI?
1	Written Submission and in-class oral performance during the mock trials	1, 2, 3, 4	100	Letter grade will be assigned. Good Attendance – 75% plus Mock trials, submission of briefs, and in-class pleadings or other exercise specified by the course lecturer.	No

Continuous Assessment (%)

100

Assessment Rubrics (AR)**Assessment Task**

Attendance and class participation

Criterion

Demonstration of preparation for tutorial problems and other exercises. Demonstration of ability and willingness to answer questions in tutorials and to participate in group discussion. Demonstration of oral presentation skills and willingness.

Excellent (A+, A, A-)

Excellent: Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

Good (B+, B, B-)

Good: Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

Fair (C+, C, C-)

Fair: Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

Marginal (D)

Marginal: Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure (F)

Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Assessment Task

Written submission and in-class oral performance during the mock trials

Criterion

Demonstration of understanding of concepts, principles, and theories.

Demonstration of ability to identify legal issues.

Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon.

Application of legal writing and research skills.

Demonstration of ability to engage in argument-based analysis based on critical thinking.

Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.

Demonstration of preparation for tutorial problems and other exercises.

Demonstration of ability and willingness to answer questions in tutorials and to participate in group discussion.

Demonstration of oral presentation skills and willingness.

Excellent (A+, A, A-)

Excellent: Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

Good (B+, B, B-)

Good: Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

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Fair: Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

Marginal (D)

Marginal: Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure (F)

Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Part III Other Information

Keyword Syllabus

Part I: Patent Law in Europe - Prosecution before the European Patent Office (EPO)

This module focuses on the substantive requirements of protection and the patent prosecution before the European Patent Office, covering all stages from filing, search, publication, substantive examination, refusal or grant, opposition and appeal. As part of this course, you will be introduced to the EPC Guidelines for Examination and the case law of the Boards of Appeal of the EPO. Through practical examples and mock trials, you will learn about the EPO approach to the requirements of patentability (novelty, inventive step, disclosure) and patent prosecution. Upon grant a European Patent will be validated in individual member states, or as a Unitary Patent, and so the legal and institutional framework of the EPO will be integral to this module, especially with the view of transitioning to the second part of this course.

Part II: Patent Law in Europe - Enforcement before the Unified Patent Court (UPC) and national courts

The course continues where the first part ends, namely the enforcement after validation of the granted patent in individual member states or within participating member states to the Unified Patent Court Agreement. The UPC is a relatively new court common to participating Member States of the European Union that provides a single instance covering multiple jurisdictions that rules on infringement and (in)validity of a European Patent with unitary effect. As part of this course, you will be introduced to the Rules of Procedure and the case law of the UPC in comparison to established national case law. Through practical examples and mock trials, you will learn about European patent jurisdiction, infringement (literal or by equivalence; direct or indirect), and enforcement practice.

Grading Scheme

Letter grade will be assigned.

Good Attendance – 75% plus

Written submission and in-class oral performance during the mock trials

Reading List