

**THE GOVERNMENT OF THE RUSSIAN FEDERATION**  
**Federal State Autonomous Educational Institution**  
**for Higher Learning**

**THE NATIONAL RESEARCH UNIVERSITY**  
**HIGHER SCHOOL OF ECONOMICS**

**Faculty of Law**  
**Department of General and Interbranch Legal Disciplines**  
**Chair of Public and Private International Law**

**Master Degree Curriculum**  
**Year 1**  
Field of Education **40.04.01. – Jurisprudence**  
Master Program **Private International Law**  
Level **Master Degree**

**INTERNATIONAL INTELLECTUAL PROPERTY LAW**

**Course Syllabus**

**Author of the Course / Course Instructor**

**Vladislav V. Starzhenetskiy**, Ph.D. (Russian Academy of Civil Service attached to the President of the Russian Federation), Associate Professor  
(vstarzhenetskiy@hse.ru)

**Approved at the Department session**

Natalia Y. Erpyleva  
Department Head

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September 10, 2018 (Protocol N 1)

**Approved at the Academic Council of  
Master Program session**

Natalia Y. Erpyleva  
Program Academic Supervisor

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September 13, 2018 (Protocol N 18)

**Approved at the Chair session**

Natalia Y. Erpyleva  
Chair Head

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September 5, 2018 (Protocol N 1)

**Moscow, 2018**

*This Syllabus cannot be used by other departments of the University or by other universities without a permission of the Departments, which drafted it*

## **COURSE DESCRIPTION**

Intellectual property plays a huge role in the modern economy in the current information age. It is one of the key ingredients of the sustained economic growth, promotion of innovation and technologies. Each country has its own intellectual property protection system including such main types of intellectual property rights as Utility Models and Patents (for inventions), Trademarks, Industrial Designs, Trade Secrets and Copyright and Related or Neighboring Rights.

However, the development of a more and more internationally oriented flow of technology and the increase of international trade require international regulation of IP rights in order to provide uniform standards of IP protection and harmonization of IP laws worldwide. This process started in 19<sup>th</sup> century when first international conventions in the sphere were adopted. In 1967 the World Intellectual Property Organization (WIPO) was established with the mission to lead the development of a balanced and effective international intellectual property (IP) system that enables innovation and creativity for the benefit of all countries and also to shape balanced international IP rules for a changing world. Nowadays, there are hundreds of international treaties administered by the WIPO. They contain intellectual regulation of IP rights, which is so important for each lawyer practicing in the sphere of Private International Law.

The aim of the course is to provide students with a theoretical and practical understanding of the international regulatory framework of the global intellectual property protection system, covering copyright, related rights, patents, trademarks, confidential information (know-how), enforcement of IP rights and international commercial transactions with IP. A special emphasis is put on the World Intellectual Property Organization, World Trade Organization standards, and recent developments in EU and EEU law.

The target audience is both students of the Faculty of Law of the HSE and foreign students.

The course is taught in English.

## **PREREQUISITES**

The Course draws on students' knowledge acquired during their preceding years of university bachelor degree training in law or other social sciences, as well as skills developed through their prior university studies as necessitated by academic curricula including, specifically, academic skills of critical thinking, critical reading, critical writing and reviewing, proficiency in general English and legal English. The syllabus follows the comprehensive curricula designed for preparing university masters students at the NRU HSE Faculty of Law in consistency with the Educational Curricular 40.04.01. "Jurisprudence" for masters' degree in law, LL.M; NRU HSE Faculty of Law Curriculum 40.04.01. "Jurisprudence" for masters' degree in Private International Law endorsed in 2018.

The course is elective for those students who are interested in intellectual property issues of Private International Law. It is an advantage, though not mandatory, to have a background in civil law (including intellectual property regulation and contracts), to have basic knowledge on subjects of Public and Private International Law, choice of law, conflicts of laws, International Civil Procedure.

## COURSE OBJECTIVES

The Course main objectives comprise:

- study of the main multilateral agreements standards that form the International Intellectual Property Law (Bern, Paris conventions, TRIPS agreement, other WIPO administered conventions);
- study of the main regional and bilateral agreements rules on Intellectual Property issues (European Union regulations, Eurasian Economic Union regulations, bilateral agreements concluded by Russia);
- enhancing students' skills of application and interpretation of the international instruments in IP subject-specific field of law;
- producing quality drafting of commercial contracts with regard to IP issues and license agreements;
- extending skills required for conducting legal research and analyses in International Intellectual Property Law.

## DISTRIBUTION OF WORKLOAD

Table: Total hours against the self-study (extramural) hours broken down by subject

Item	Subject-Headings	Total hours	In-Class Hours, including		Self-study hours
			Lectures	Seminars	
1.	<b>Subject 1.</b> Subject-matter, basic principles and sources of international IP Law and Regulation	<b>16</b>	4	2	10
2.	<b>Subject 2.</b> History and recent developments in International IP Law and Regulation	<b>14</b>	2	4	8
3.	<b>Subject 3.</b> International copyright law	<b>14</b>	2	2	10

4.	<b>Subject 4.</b> International regulation of related rights	<b>12</b>	2	2	8
5.	<b>Subject 5.</b> International regulation of industrial property	<b>16</b>	4	2	10
6.	<b>Subject 6.</b> Regulation of IP use and protection in Internet	<b>12</b>	2	2	8
7.	<b>Subject 7.</b> International commercial transactions with IP rights	<b>16</b>	2	4	10
8.	<b>Subject 8.</b> Enforcement of IP in global perspective	<b>14</b>	2	2	10
	<b>TOTAL:</b>	<b>114</b>	<b>20</b>	<b>20</b>	<b>74</b>

## TYPES OF KNOWLEDGE CONTROL

### Self-study control:

- Essay on a selected topic as agreed with the Course Instructor;
- In-betweeners forms: regular quizzes during seminar classes lasting 15 minutes for checking the level of memorizing key notions.

### Intermediate evaluation:

- Exam – graded assessment of the level of acquired knowledge and developed skills during the Course; includes written questions covering syllabus material, i.e. theoretical and practical dimensions (test).

Control Type	Control Element	Modules				Parameters
		1	2	3	4	
Current control	Essay			6		12-15 printed pages (Times New Roman, 14 pt)
Intermediate Evaluation	Exam			*		Written 60-minute exam

## METHOD OF INSTRUCTION

Classes are split into lectures and seminars. Lectures are conducted in the interactive mode with the focus on the feedback from masters' students. Students are expected to get prepared for the upcoming lectures, which enables them to better comprehend the subject matter delivered by the lecturer. Seminars are aimed

at combining interactive methods and spontaneous individual or group debates on specified problem areas. Such interactive tutoring is based on both the prepared and spontaneous modes. Home assignments are intended for reviewing and analyzing international treaties, judgments, textbooks, as well as at preparing to the multitasking format of exercising during in-class teamwork.

## **LEARNING OUTCOMES**

*Students must gain knowledge on:*

- general standards of IP protection under WIPO, WTO, EU and EEU Law;
- enforcement of IP rights in global prospective;
- drafting international commercial transactions with IP component.

*Skills and abilities:*

- to use specific terms and sources of the global IP Law and Regulation;
- practical abilities of research, analysis of WIPO, WTO, EU and EEU legal documentation and scientific works;
- skills to analyze and solve cases, building up of the legal position and composition of procedural documents on cases in the sphere of International IP Law and Regulation.

*Students should gain the following competences:*

- ability to work with information (search, evaluate, use information, necessary for fulfilment of academic and professional tasks, from various sources, including application of the systematic approach);
- ability to carry out professional activities in the international environment;
- ability to search, analyse, and work with legally relevant information by using the juridical, comparative and other specific methods,
- ability to describe legal problems and situations in the field of International IP Law and Regulation.

## **CONTENT OF THE COURSE**

### **SUBJECT 1.**

#### ***Subject-matter, basic principles and sources of International IP Law and Regulation***

1. Role of IP rights in modern information society. Innovation, technologies, economic growth and intellectual property.
2. System of IP rights. IP rights as property rights v. *sui generis* “exclusive” rights.

3. Basic principles of International IP Law and Regulation: territoriality principle, principle of national treatment, first sale exhaustion principle and others. IP and human rights (freedom of expression, protection of personal data).
4. Sources of IP Law and Regulation: national legislation, universal and regional international treaties.
5. Regulatory role of the World Intellectual Property Organization, the World Trade Organization, the European Union, the Eurasian Economic Union and other international organizations.

## **Reading List**

### **A. Required**

1. *Abbott F., Cottier T., Gurry F.* International Intellectual Property in an Integrated World Economy (Aspen Casebook). Wolters Kluwer, 2015. – 960 p.
2. *Goldstein P., Trimble M.* International Legal Materials on Intellectual Property (Selected Statutes). Foundation Press, 2014. – 767 p.
3. *Ruse-Khan H.* The Protection of Intellectual Property in International Law. Oxford University Press, 2016. – 810 p.

### **B. Optional**

1. *Torremans P.* Intellectual Property and Private International Law. Elgar, 2015.
2. *Van Honnaeker L.* Intellectual Property Rights as Foreign Direct Investments: From Collision to Collaboration. Elgar, 2015.
3. *Курчев В.С.* Еще раз о понятии «интеллектуальная собственность» // Патенты и лицензии. 2014. № 1.
4. *Мишальченко Ю.В., Тарандо Е.Е., Пруель Н.А.* Реализация международных и национальных норм авторского права: правовые и социологические аспекты // Бизнес, менеджмент и право. 2015. № 1.
5. *Карицкая А.* Юрисдикционный иммунитет государства и промышленная собственность // Интеллектуальная собственность. Промышленная собственность. 2016. № 1.
6. *Коростелева С.* Актуальные тенденции развития системы права Евразийского экономического союза в сфере интеллектуальной собственности // Интеллектуальная собственность. Промышленная собственность. 2016. № 2.
7. *Крупко С.* Правовые проблемы разрешения трансграничных споров, связанных с нарушением исключительных прав // Хозяйство и право. 2015. № 1.

8. *Купчина Е.В.* Правила подачи апелляции на решения международных коммерческих арбитражей в сфере интеллектуальной собственности // Евразийский юридический журнал. 2016. № 2.
9. *Купчина Е.В.* Споры в области интеллектуальной собственности в практике Лондонского международного арбитражного суда // Евразийский юридический журнал. 2016. № 4.
10. *Леонтьев Б.* Интеллектуальная собственность транснациональных корпораций // Интеллектуальная собственность. Промышленная собственность. 2016. № 9.
11. *Савина В.* Процесс унификации права интеллектуальной собственности: история и современность Интернет // Интеллектуальная собственность. Авторское право и смежные права. 2014. № 8.

## **SUBJECT 2.**

### ***History and recent developments in International IP Law and Regulation***

1. Historical development of Intellectual Property Law and Regulation.
2. International copyright and industrial property law harmonization (Berne, Paris, Madrid Conventions).
3. Establishment of the World Intellectual Property Organization: its role, functions, treaties administered by the WIPO.
4. The World Trade Organization and TRIPS Agreement.
5. Regional protection of IP (EU, EAEU).
6. Recent trends in the International IP system.

### **Reading List**

#### **A. Required**

1. *Abbott F., Cottier T., Gurry F.* International Intellectual Property in an Integrated World Economy (Aspen Casebook). Wolters Kluwer, 2015. – 960 p.
2. *Goldstein P., Trimble M.* International Legal Materials on Intellectual Property (Selected Statutes). Foundation Press, 2014. – 767 p.
3. *Ruse-Khan H.* The Protection of Intellectual Property in International Law. Oxford University Press, 2016. – 810 p.

#### **B. Optional**

1. *Boyle J., Jenkins J.* Intellectual Property: Law & the Information Society – Cases and Materials: An Open Course Book. CreateSpace Independent Publishing Platform, 2015.

2. *Torremans P.* Intellectual Property and Private International Law. (Critical Concepts in Intellectual Property Law Series, N 12). Edward Elgar Pub., 2015.
3. *Waelde C.* Contemporary Intellectual Property. Oxford University Press, 2014.
4. *Пирогова В.В.* Соглашение ТРИПС (ВТО): Ограничения исключительных прав и общественные интересы // Журнал международного частного права. 2014. № 3.
5. *Савина В.* Процесс унификации права интеллектуальной собственности: история и современность Интернет // Интеллектуальная собственность. Авторское право и смежные права. 2014. № 8.
6. *Тюнин М.В.* Коллективное управление как способ реализации авторских и смежных прав в Таможенном союзе // Журнал российского права. 2015. № 2.
7. *Уколов С.М.* Мировые соглашения в интеллектуальных спорах // Журнал Суда по интеллектуальным правам. 2016. № 11.
8. *Шугуров М.В.* Деятельность ВОИС в сфере международной передачи технологий: направления и приоритеты // Международное право и международные организации. 2016. № 2.
9. *Шугуров М.В.* ТРИПС-плюс и международный трансфер технологий // Патенты и лицензии. Интеллектуальные права. 2016. № 7.

### **SUBJECT 3.**

#### ***International copyright law***

1. The process of internationalization of copyright law.
2. The norms of the International copyright law. Berne, Universal copyright conventions, WIPO copyright treaty, TRIPS Agreement.
3. Regional systems of copyright protection: EU and EAEU.
4. Subject matter of copyright: international standards.
5. Authorship and Ownership. Term of protection.
6. Economic and Moral rights. Exemptions and limitations of copyrights.

#### **Reading List**

##### **A. Required**

1. *Abbott F., Cottier T., Gurry F.* International Intellectual Property in an Integrated World Economy (Aspen Casebook). Wolters Kluwer, 2015. – 960 p.
2. *Caso R., Giovanella F. (eds.)* Balancing Copyright Law in the Digital Age: A Comparative Perspectives. Springer, 2015. – 135 p.
3. *Goldstein P., Trimble M.* International Legal Materials on Intellectual Property (Selected Statutes). Foundation Press, 2014. – 767 p.



## **B. Optional**

1. *Stokes S.* Digital Copyright: Law and Practice. Hart Publishing, 2014.
2. *Strong W. S.* The Copyright Book. The MIT Press, 2014.
3. *Waelde C.* Contemporary Intellectual Property. Oxford University Press, 2014.
4. *Андрощук Г.* Дело фотографа Морела (американский суд запретил СМИ использовать фото из Twitter) // Интеллектуальная собственность. Авторское право и смежные права. 2016. № 12.
5. *Луткова О.В.* Общественное достояние в трансграничных авторско-правовых отношениях // Lex Russica. 2016. № 12.
6. *Луткова О.* Общественное достояние в международном авторском праве // Интеллектуальная собственность. Авторское право и смежные права. 2016. № 3.
7. *Луткова О.В.* Классификация субъектов трансграничных авторско-правовых отношений // Актуальные проблемы российского права. 2016. № 11.
8. *Мишальченко Ю.В., Тарандо Е.Е., Пруель Н.А.* Реализация международных и национальных норм авторского права: правовые и социологические аспекты // Бизнес, менеджмент и право. 2015. № 1.
9. *Шугуров М.* Мультистейкхолдерский подход к реформированию авторского права ЕС // Интеллектуальная собственность. Авторское право и смежные права. 2016. № 6.

## **SUBJECT 4.**

### ***International regulation of related rights***

1. International regulation of neighboring rights. Rome Convention, Geneva Phonograms Convention, WIPO performances and phonograms treaty, Brussels Satellite Convention, TRIPS agreement, Beijing Treaty on Audiovisual Performances.
2. Regional protection of neighboring rights (EU and EEU).
3. Subject matter of neighboring rights: international standards.
4. Authorship and Ownership. Term of protection.
5. Exemptions and limitations of neighboring rights.

## **Reading List**

### **A. Required**

1. *Abbott F., Cottier T., Gurry F.* International Intellectual Property in an Integrated World Economy (Aspen Casebook). Wolters Kluwer, 2015. – 960 p.
2. *Goldstein P., Trimble M.* International Legal Materials on Intellectual Property (Selected Statutes). Foundation Press, 2014. – 767 p.
3. *Ruse-Khan H.* The Protection of Intellectual Property in International Law. Oxford University Press, 2016. – 810 p.

## **B. Optional**

1. WIPO Guide to the Rome convention and to the Phonograms convention [http://www.wipo.int/edocs/pubdocs/en/copyright/617/wipo\\_pub\\_617.pdf](http://www.wipo.int/edocs/pubdocs/en/copyright/617/wipo_pub_617.pdf).
2. *Boyle J., Jenkins J.* Intellectual Property: Law & the Information Society – Cases and Materials: An Open Course Book. CreateSpace Independent Publishing Platform, 2015.
3. *Torremans P.* Intellectual Property and Private International Law. (Critical Concepts in Intellectual Property Law Series, N 12). Edward Elgar Pub., 2015.
4. *Waelde C.* Contemporary Intellectual Property. Oxford University Press, 2014.
5. *Дорохова Н.* Некоторые выводы из судебной практики по делам о нарушении авторских и смежных прав в Интернете // Интеллектуальная собственность. Авторское право и смежные права. 2016. № 4.

## **SUBJECT 5.**

### ***International regulation of industrial property***

1. Scope and sources of international industrial property protection. Paris Convention, Madrid Agreement, Patent cooperation treaty, Eurasian Patent convention, European patent convention, TRIPS Agreement.
2. International patent law. International registration of patents, patentability requirements, scope of patent protection, compulsory licenses, limitations of patent rights.
3. International trademark law. International registration of trademarks, regional trademarks, international trademark classification, first sale exhaustion rules and parallel imports, well-known trademarks.
4. International protection of trade secrets.

## **Reading List**

### **A. Required**

1. *Abbott F., Cottier T., Gurry F.* International Intellectual Property in an Integrated World Economy (Aspen Casebook). Wolters Kluwer, 2015. – 960 p.
2. *Goldstein P., Trimble M.* International Legal Materials on Intellectual Property (Selected Statutes). Foundation Press, 2014. – 767 p.
3. *Ruse-Khan H.* The Protection of Intellectual Property in International Law. Oxford University Press, 2016. – 810 p.

## **B. Optional**

1. *Carvalho N.* The TRIPS Regime of Trademarks and Designs. Wolters Kluwer Law & Business, 2014.
2. *Madies T., Guellec D., Prager J.-C. (eds.)* Patent Markets in the Global Knowledge Economy: Theory, Empirics and Public Policy Implications. Cambridge University Press, 2014.
3. *Байер Е., Райт Фиеро А.* Патентные системы России и США: последние изменения в законодательстве и их значение для защиты интеллектуальных имущественных прав // Интеллектуальная собственность. Промышленная собственность. 2016. № 3.
4. *Гаврилов Э.П.* Патенты на изобретения в странах Таможенного союза в аспекте международного частного права // Патенты и лицензии. 2014. № 1.
5. *Горленко С.А.* Совершенствование международной системы правовой охраны наименований мест происхождения товаров и географических указаний // Патенты и лицензии. Интеллектуальные права. 2016. № 1.
6. *Еременко В.И.* Наименования мест происхождения и географические указания: международно-правовой аспект // Законодательство и экономика. 2016. № 8-7.
7. *Игнатов М., Серова М.* Некоторые аспекты правовой охраны изобретений в области фармацевтики и медицины в Евразийском патентном ведомстве // Интеллектуальная собственность. Промышленная собственность. 2016. № 8.
8. *Никулина В.С.* Правовая защита товарного знака и борьба с недобросовестной конкуренцией. М.: Статут, 2015.
9. *Рузакова О.А.* Развитие права ЕС в области охраны патентных и иных интеллектуальных прав // Патенты и лицензии. 2014. № 12.
10. *Шахназаров Б.А.* Некоторые терминологические аспекты международного права промышленной собственности // Lex Russica. 2016. № 8.
11. *Шахназаров Б.А.* Отдельные терминологические вопросы международно-правового регулирования средств индивидуализации // Актуальные проблемы российского права. 2016. № 6.
12. *Шахназарова Э.А.* Особенности международно-правовой охраны наименований мест происхождения товаров и географических

указаний в свете принятия Женевского акта Лиссабонского соглашения 20 мая 2015 г. // Журнал российского права. 2016. № 11.

## **SUBJECT 6.**

### ***Regulation of intellectual property protection in Internet***

1. Internet functioning, internet players and debates on internet regulation. Challenges for IP protection in cyber space.
2. WIPO internet treaties, EU Directive on the harmonization of certain aspects of copyright and related rights in the information society, Digital Millennium Copyright Act (DMCA), Russian Anti-Piracy regulations.
3. Private International Law issues: applicable law and jurisdiction.
4. Uniform Domain Name Dispute Resolution Policy and WIPO center for arbitration and mediation.
5. Intermediary liability for copyright infringements.

### **Reading List**

#### **A. Required**

1. *Boyle J., Jenkins J.* Intellectual Property: Law & the Information Society – Cases and Materials: An Open Course Book. CreateSpace Independent Publishing Platform, 2015. – 826 p.
2. *Caso R., Giovanella F. (eds.)* Balancing Copyright Law in the Digital Age: A Comparative Perspectives. Springer, 2015. – 135 p.
3. *Grimmelmann J.* Internet Law: Cases & Problems. Semaphore Press, 2015.

#### **B. Optional**

1. *Torremans P.* Intellectual Property and Private International Law. (Critical Concepts in Intellectual Property Law Series, N 12). Edward Elgar Pub., 2015.
2. *Еременко В.И.* Совершенствование законодательства в сфере защиты интеллектуальных прав в информационно-телекоммуникационных сетях // Законодательство и экономика. 2015. № 8.
3. *Касенова М.Б.* Эволюция концепций трансграничного использования Интернета в зарубежной правовой доктрине // Международный правовой курьер. 2016. № 2.
4. *Кондратьева Е.* Интеллектуальные права в Интернете: соотношение интересов правообладателей и общества // Интеллектуальная собственность. Авторское право и смежные права. 2014. № 2.

5. *Кофейников Д.В.* Сеть Интернет как часть мирового рынка нуждается в государственном правовом регулировании // Современное право. 2016. № 1.
6. *Савельев А.И.* Электронная коммерция в России и за рубежом: правовое регулирование. М.: Статут, 2014.

## **SUBJECT 7.**

### ***International commercial transactions with intellectual property rights***

1. Acquisitions and divestitures of IP and technology assets: Private International Law issues
2. International joint ventures and joint development arrangements.
3. Licensing and technology transactions, research and development agreements: applicable law and dispute resolution.
4. IP due diligence in international perspective.

### **Reading List**

#### **A. Required**

1. *Abbott F., Cottier T., Gurry F.* International Intellectual Property in an Integrated World Economy (Aspen Casebook). Wolters Kluwer, 2015. – 960 p.
2. *Coulson N., Botts B. (eds.)* IP Issues in Corporate Transactions: A Practical Guide to the Treatment of Intellectual Property in Acquisitions and Investments. Global Law and Business, 2016. – 230 p.

#### **B. Optional**

1. *Rowe E., Sandeen S.* Trade Secrecy and International Transactions: Law and Practice. Edward Elgar Pub., 2015.
2. *Wang F.* Law of Electronic Commercial Transactions. Routledge, 2014.
3. *Абдуджалилов А.* Правовая характеристика договоров, заключаемых в Интернете // Журнал российского права. 2016. № 2.
4. *Ворожевич А.С.* Лицензионные договоры и антитраст: опыт США и Японии, выбор России // Закон. 2015. № 3.
5. *Прокофьев А.С., Смирнова В.М.* Особенности правового регулирования лицензионных договоров о предоставлении права использования товарного знака // Журнал российского права. 2015. № 7.

## **SUBJECT 8.**

## *Enforcement of Intellectual Property in global perspective*

1. International system of IP enforcement. Fair and Equitable Procedures.
2. Civil law remedies: injunctions, statutory damages, damages, evidence, right of information, indemnification of the defendant.
3. Administrative measures: customs control measures, administrative procedures and penalties.
4. Criminal law sanctions: criminal procedures and penalties, criminal remedies (imprisonment, monetary fines, seizure, forfeiture and destruction of the infringing goods).
5. Provisional measures under TRIPS Agreement.

### **Reading List**

#### **A. Required**

1. *Abbott F., Cottier T., Gurry F.* International Intellectual Property in an Integrated World Economy (Aspen Casebook). Wolters Kluwer, 2015. – 960 p.
2. *Goldstein P., Trimble M.* International Legal Materials on Intellectual Property (Selected Statutes). Foundation Press, 2014. – 767 p.

#### **B. Optional**

1. *Torremans P.* Intellectual Property and Private International Law. (Critical Concepts in Intellectual Property Law Series, N 12). Edward Elgar Pub., 2015.
2. *Waelde C.* Contemporary Intellectual Property. Oxford University Press, 2014.
3. *Крунко С.* Правовые проблемы разрешения трансграничных споров, связанных с нарушением исключительных прав // Хозяйство и право. 2015. № 1.

### **Topics for Essays**

1. Legal nature of IP Rights.
2. Treaty interpretation and the meaning of international IP agreements.
3. Role of international organizations in developing IP protection.
4. National treatment and reciprocal Protection of IP rights.
5. Originality and authorship: what should be protected under Copyright Law?
6. Moral rights concept: a comparative study.
7. “Fair use” standard in Copyright Law.
8. Problem of retroactivity in International Copyright Law.

9. Conflict of Laws and Choice of Law issues in cyber space.
10. Licensing of global IP rights in the digital age.
11. Madrid Agreement on International Registration of Trademarks: practice and problems.
12. Territoriality of trademark rights under Paris Convention and TRIPS Agreement.
13. Bad faith and conflicting trademarks: article 10 of the Paris Convention.
14. Protection of famous marks under Paris Convention and TRIPS Agreement.
15. Uniform Domain Name Dispute Resolution Policy and Cybersquatting.
16. EU Trademark Directive and Regulations.
17. Community trade marks: EU and EAEU.
18. Parallel imports and international exhaustion.
19. Conditions for patentability: a comparative study.
20. Global patent registration agreements.
21. Analysis of the Patent Cooperation Treaty, Patent Law Treaty and European Patent Convention.
22. Compulsory licenses and national emergencies under TRIPS Agreement.
23. International IP enforcement system.
24. Statutory damages: *pro and contra*.
25. Provisional measures under TRIPS Agreement.

A topic chosen by each student is subject to individual approval by the Course Instructor.

## **ASSESSMENT AND GRADING**

### **A. Assessment**

- Seminar attendance / participation – 10%
- Self-study (in-between forms) – 10%
- Self-study (essay) – 30%
- Examination (test) – 50%

An overall assessment formula comprises a sum total of the following variables:

$(\text{seminar attendance / participation}) * 0.1 + (\text{in-between forms}) * 0.1 + (\text{essay}) * 0.3 + (\text{exam}) * 0.5 = \text{final grade}$

### **B. Grading**

#### **Grading rates for essay and written exam:**

- Excellent            8 – 10 points

- Good 6 – 7 points
- Satisfactory 4 – 5 points
- Fail 1 – 3 points
- No attendance 0 points

### **Author of the Course / Course Instructor**

**Vladislav V. Starzhenetskiy**, Ph.D., Associate Professor, Department of Public and Private International Law, Faculty of Law, National Research University – the Higher School of Economics (Moscow Campus) (vstarzhenetskiy@hse.ru)