“The future of the nation depends in no small part on the efficiency of industry, and the efficiency of industry depends in no small part on the protection of intellectual property.”

Judge Richard Posner in Rockwell Graphic Systems, Inc. v. DEV Industries, 925 F.2d 174 (7th Cir. 1991)

The field of intellectual property (IP) law reaches wide, and is dynamic. The nature of IP is best understood through a comparison with other, tangible, forms of property. With property such as land, a vehicle or a soccer ball, one has rights to the object itself. In other words, your rights would be infringed if the object is damaged or destroyed. The position with IP is different. An example might be a patent for a pair of night vision binoculars. The intellectual property rights of the patentee would not be infringed if the binoculars are destroyed. The reason for this is that it is the invention that is protected and not the binoculars. IP is, accordingly, that body of law that regulates the creation and utilisation of immaterial property, and the enforcement of resultant rights. The objects of the various IP rights typically include patents, copyright, registered designs, and trade marks.

To properly understand all these issues, it is necessary to study both the legislation and the case law relating to a particular discipline on an advanced level. In the modern business world, it has become impossible to properly deal with commercial transactions without the necessary IP background. This LLM aims to provide the student with the necessary tools to navigate the IP landscape, and to create awareness of pitfalls or opportunities that may present themselves. In fact, in given situations, the holder of an advanced degree in IP might be preferred for a specific task over someone that does not have such a qualification.

STUDENTS WILL BENEFIT MOST FROM AN INTERACTIVE CLASS ENVIRONMENT. IT IS A SPECIFIC OBJECTIVE OF THE DEGREE TO FOSTER SUCH INTERACTION.

WHAT WILL I BE TAUGHT?

In the three coursework modules, you will be learning more of:

1. Trade mark law (first semester)
   Trade mark law involves a study of the fundamental principles as found in practice. In other words the nature of a mark, the concept of use, bars to registration, the issue of registrability, and infringement provisions. Where relevant, freedom of speech as encountered in other jurisdictions will be studied.

2. Copyright law (second semester)
   This module entails a study of the basic principles of copyright law, in particular the issue of originality, the rights of the copyright owner, exemptions from infringement, and infringement itself. Attention will also be given to internet law as it intersects with copyright or other areas of the law. This may include the liability of service providers, 3D printing, prominent cases on the subject and proposed legislation.
3. Patent law (first semester)
This module is an advanced study of patent law, dealing with basic principles of patent registration and the exclusions from patentability, such as software. The issue of infringement and relevant remedies will be discussed in detail.

4. Dissertation
A dissertation of a limited nature must be completed on a topic taken from one of the three modules.

LECTURERS:
The co-ordinator of the programme is Professor Wim Alberts, who has 20 years of practical experience. He will be assisted by other academics as well as practitioners.

CAREER OPPORTUNITIES:
An IP LLM could lead to a career as an advocate, attorney, a legal adviser in government or in the private sector, a position in a regulatory environment or a position in an international agency.

SCHOLARSHIPS:
Scholarships are available. Students who complete their degree within two years, qualify for the reimbursement of their tuition fees (excluding the registration fee and ICT levy, and subject to certain terms and conditions).

ADMISSION REQUIREMENTS:
In general, as a minimum admission requirement, students must have attained an average of 65% for the law subjects in their LLB degree.

Bursaries are available.

Classes or seminars in the taught modules are presented in the evenings on weekdays from 18h00 to 20h00 (one seminar per week per module).

The next student intake will be in February 2019. The degree is offered only on a part time basis, i.e. over two years.

Application forms and full details of the Faculty's postgraduate programmes can be acquired by contacting the faculty:

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