UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto Industriale

2425-3-E1401A027

Learning objectives

Learining objectives are the knowledge of some of the main content of the Intellectual property: i.e. the law of trademarks (both national and community trademarks), and the law of patents.

A) Knowledge and understanding

Knowledge and understanding of the main regulatory elements of industrial property, sources of law, and international conventions

B) Applied knowledge and understanding

Be able to find, interpret and apply legal rules and in particular those relating to the subjects listed under A)

Be able to resolve possible antinomies between different provisions to be applied, and have understanding of the systematic framework

C) Autonomy of judgement

Acquire autonomy of judgement in finding and evaluating legal solutions with particular regard to concrete cases by using examples drawn from case law.

D) Communication skills

Being able to communicate in a simple, logical, orderly manner and with command of terminology

E) Learning skills

To be able to find the texts of the norms and to interpret them independently.

Follow the formation process of the various norms over time.

Understand the functioning of industrial property institutions.

Contents

The course will closely examine some issues on trademark and advertising and on trademark and the Internet, with case law discussion.

The course will also examine the law of patents (both national and European patents), in particular the course will closely examine the patenting of software-related inventions and of biotechnological inventions.

Detailed program

1.The law of trademark (both national and community trademark): - Functions of the trademarks - Italian, Community and International regulation - sign that can be registered as a trademark - Requirements of validity - National and community registration of trademarks - Rights conferred and limitation - Internet and distinctive signs - Ownership - Trademark agreements: license and assignment of trademarks - Invalidity and lapse of rights - Enforcement and remedies - Collective trademark - Unregistered trademark and other distinctive signs

2. The law of patents - Functions of patent law and alternative form of protection of innovation - Italian and International patent regulations - Biotech and software inventions - Patentability requirements - Italian and European patent prosecution - Rights conferred and limitations - Interpretation of patent claims - Ownership - Patent agreements: license and assignment of patents - Invalidity of patent - Compulsory license - Enforcement and remedies

Prerequisites

Institutions of private law

Teaching methods

Erogative Didactic Front Lessons and cases discussion

Assessment methods

Oral Exam (no intermediate exams). The assessment will be aimed at testing knowledge of the subject matter, the critical ability to evaluate related issue also making examples and discussing practical cases, and the ownership of language.
The aim is to test the ability to understand and explain all the fundamental topics and aspects of the subject in a

clear and personal manner.
The assessment criteria for the skills indicated are based on knowledge and understanding of the fundamental content of the discipline and the ability to apply the knowledge acquired with personal reworking.

Textbooks and Reading Materials

VANZETTI, DI CATALDO, SPOLIDORO Manuale di diritto industriale, IX edizione, Giuffrè, Milano, 2021 or the following edition, ch. IV part I (la concorrenza per confondibilità), part II (I segni distintivi), ch. I-XII part III (Le invenzioni) and part IV (processo e sanzioni).

Sustainable Development Goals

GOOD HEALTH AND WELL-BEING | QUALITY EDUCATION