



MIPLC
MUNICH INTELLECTUAL PROPERTY LAW CENTER

INNOVATION | CREATIVITY | COMPETITION | LAW

Challenges Faced by Academic Institutions in the Teaching of IP and Carrying Out IP Research

Joseph Straus, Munich

International Symposium on Intellectual Property (IP)
Education and Research

Geneva, June 30, 2005

Institutions & Challenges

- **MIPLC LL.M. Program in IP Law**
- **Max Planck Institute for Intellectual Property, Competition and Tax Law**
- **Our Challenges**





LL.M. Program in IP Law

www.miplc.de

Partners

MIPLC
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Technical University of Munich

long standing rich tradition, remarkable number of Nobel Laureates,
new School of Economic Sciences

The George Washington University Law School, Washington D.C.

oldest specialized IP law program in the world

University of Augsburg

young and dynamic Bavarian university

Max Planck Institute for Intellectual Property, Competition and Tax Law, Munich



TM
TECHNISCHE
UNIVERSITÄT
MÜNCHEN



THE GEORGE
WASHINGTON
UNIVERSITY
LAW SCHOOL
WASHINGTON, DC



Universität Augsburg



MAX-PLANCK-GESELLSCHAFT

Two main aims

Education: LL.M. Course

- Intellectual property, plus adjacent areas of economics
- International graduates in legal, economic, natural and engineering sciences
- English-language program
- Two semesters

Research Projects

- Cooperative research with foreign partners
- Separate research unit established at the MIPLC
- E.G.: IP Infrastructures in Asia



Some 60 members of the
MIPLC-Faculty

Faculty members of the four partners



Distinguished visiting professors from the US and Europe



- Judges from international courts
- Members of the bar and the patent bar
- EPO, WIPO
- Industry

Teaching methods

Socratic & predominantly **case-based** -
requiring constant and intensive preparation and participation

Many courses taught in intensive **blocks**

Often **more than one professor** per course
→ different aspects of a topic are adequately addressed

Practical trainings, e.g. “Licensing game”

Tutorials:

- One-to-one lessons
- By MPI members and young lawyers
- Preparation of exams
- Advice and discussion on Master’s Thesis

3 types of Courses

Specialized Courses

Students choose according to their interests

Various areas of IP
Tax Law
Economics
Technology & Innovation

Special focus! 7 classes!

Basic Courses

Attendance mandatory

General Courses in all core areas:
Patent Law, Copyright Law, Trademark Law; Jurisdiction & Conflict of Law, Competition Law, etc.

Introductory Courses

Participation strongly recommended

Legal Tradition, Legal Research & Writing, Introduction to IP, Introduction to Economics

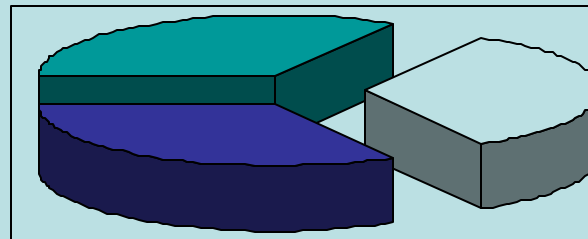
Exams & Degree

31 credit hours obligatory (Basic + Specialized Courses)
+ 3.5 credit hours Introductory Courses

Written or oral exams in all Basic and Specialized Courses

Master's Thesis

For the Master's degree, a total of **60 credit points (cp)** is required



- 20 cp Basic Courses
- 20 cp Specialized Courses
- 20 cp Master's Thesis

Student Body

Our First Class of Students



- **16 students** from **5 continents** and **8 countries:** Brazil (2), Canada (1), PR China (2), Germany (6), Ghana (1), South Africa (1), UK (1), USA (2)
- Predominantly law graduates
- Average age: 32, ranging from 24 to 59

Our Second Class of Students

- **18 students** from **4 continents** and **12 countries:** Bulgaria, China, Ethiopia, Germany (3), Iceland, India (2), Italy (2), Lithuania, Norway, Poland, Tanzania, USA (3)
- Predominantly law graduates (2 Biologists, 2 Mechanical Engineers)
- Average Age: 30, ranging from 24 to 39
- 7 ECAP Students (1 semester) from: Cambodia, Indonesia, Malaysia, Philippines, Singapore, Thailand, Vietnam (all Professors)

Three kind of challenges

Managing Board:

- Design & coordination of curricula
- Coordination of activities of all partners

Challenges for the faculty:

- Inhomogeneous class due to diverse cultural backgrounds, diverse professional education & different legal traditions
- Interfacing with other lecturers/classes

Challenges for the students:

- Great number of different topics (legal & economic)
- Different legal approaches (common/civil law)
- Different teaching approaches/cultures
- Diverse types of examinations



Max Planck Institute for Intellectual Property, Competition and Tax Law - Structure

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Department of Intellectual Property and Competition Law

- Profs. Straus, Hilty and Drexl (Directors)
- 20 Research Fellows/Junior Research Fellows

Department of Accounting and Taxation

- Prof. Schön (Director)
- 5 Research Fellows/Junior Research Fellows

Largest IP specialized Library

- ~ 170.000 volumes
- ~ 900 periodicals

Over 130 scholarship holders pursued or pursue their research at the Institute in 2005 (Visiting Scholars and Ph.D. students)



Max Planck Institute for Intellectual Property, Competition and Tax Law – Areas of Research

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Prof. Straus: - European & international patent law
- Protection of biotechnological inventions
- Regulation of the border areas of patent law
- Economic implications of patent law

Prof. Hilty: - Law of contracts in intellectual property, including questions of competition law
- Basic issues of doctrine and economics in the protection of intangible goods and investments
- Copyright and other intellectual property rights and the challenges of new technologies

Prof. Drexler: - European & international antitrust law
- Copyright Law, European & international aspects of IP law, consumer and information law

Prof. Schön: - German, European & international tax law with an emphasis on fiscal accounting and business taxation
- Accounting in the context of capital market regulation, general corporate law and civil law

Max Planck Institute for Intellectual Property, Competition and Tax Law – Research Projects

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Department of IP and Competition Law:

- International Jurisdiction & Enforcement
- Commentary on the Paris Convention
- New Framework of IP Rights
- Biotechnology
- Industrial Property and Copyright Law in Latin-American Countries
- Annotated Asian Intellectual Property Law Series
- Balancing the Interests in Copyright Law

Department of Accounting and Taxation:

- Financial Accounting between the Need to Inform Investors and the Necessity to Protect Trade Secrets
- Regulatory Competition in the Field of Taxation
- Financial Accounting and Tax Accounting

Challenges

- Ever increasing complexity of the IP system
- Requiring interdisciplinary approach
- Law & Economics & CIT & Life Sciences & Engineering
- Long term commitments & Collection of Empirical Data & Funding
- Politicizing of the IP system to the disadvantage of the system and the public at large



Thank you!

