



Aston Business School
Birmingham



Teaching IP to law and business students

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Where do I teach?

- ▶ ***Aston University in the heart of Birmingham***
- ▶ *“If Carlsberg did Universities Aston would probably be it”*
 - ▶ Quote from student



Who do I teach?

- ▶ BSc
 - ▶ Accounting for Management
 - ▶ Business Computing and Information Technology
 - ▶ Management and Strategy
 - ▶ Business and Management
 - ▶ International Business and Management
- ▶ **Core second year** subject taught to 180-190 students. 1 module out of 12 modules studied in year.



Why is IP a core subject at Aston?

- ▶ COMMUNICATION FROM THE COMMISSION
- ▶ Investing in research: an action plan for Europe
 - ▶ COM (2003) 226 final
- ▶ *“Ensure that before graduating , every student-especially from science, engineering and business schools- receives basic awareness /training regarding intellectual property and technology transfer.”*





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Teaching on an LLB degree

- ▶ Lawyers need
 - ▶ The ability to research
 - ▶ To quickly identify problem areas
 - ▶ To come to a practical solution
 - ▶ To be aware of both sides of an argument.
- ▶ When presented with a problem they must be able to explain **theories** and any **issues** raised because of them
- ▶ They must have a **thesis backed up by argument** and **evidence** not **assertion**
- ▶ They must **analyse** and **evaluate**



Teaching on a BSc degree

- ▶ My aim when teaching at a business school is **not** to turn the students into lawyers but to allow them to prosper as **successful business people**. To help them to **understand** how IP relates to innovation and business development.



BSc students

- ▶ They **DO NOT** WANT to be lawyers
- ▶ They DO NOT **REALLY** WANT to study law.
- ▶ They **WANT** to be Alan Sugar!





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Why do I teach business students IP?

- ▶ To **encourage innovation** and diffuse information
- ▶ They must appreciate the **benefits and risks** involved in innovation
 1. They must know that IP is important to organisations and investors.
 2. They must know there is a **balance** between an incentive to innovate and ensuring research is not hindered.
 3. They must be able to assess when there is a **problem** and know where they can get **help**.
 4. They must be able to **understand** what their professional advisors are telling them which will **reduce the costs** of getting that advice.
 5. They must understand that IP knowledge will help them make **good business decisions** in the future.



What do business students need to know?

- ▶ Business students must know
 - ▶ Whether they need to **register a right** and if so what is involved.
 - ▶ **Where** these rights can be registered, **how long** it will take and how much it will **cost**.
 - ▶ That registration **may be opposed** and **why** someone may want to oppose it.
 - ▶ **Who owns** the IP.
 - ▶ If their IP is **being infringed** or if they **are infringing** another's.
 - ▶ **When to challenge** eg the registration of another's IP or at least to know that they **can** make such a challenge.





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They must also understand about

- ▶ **Licensing**
- ▶ That IP may be the most valuable thing a company possesses
- ▶ The need for an IP **plan, management** of their IP and IP **audits**
- ▶ IP issues related to **mergers and acquisitions** and **due diligence**



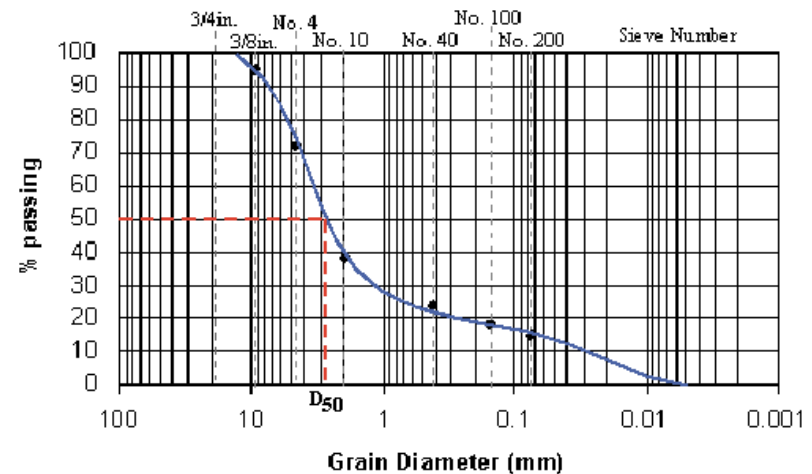
How do I get them to want to know it?

- ▶ **Knowledge** by itself is **useless**.
- ▶ I must persuade them that being able to **understand how to use** IP is **relevant** to their future.



The students

- ▶ They are not used to **reading**
- ▶ They are not used to **writing**
 - ▶ **[but they are good at maths]**
- ▶ They don't know how to approach law
- ▶ They are scared that this course will **adversely** affect their degree results



Studying law

- ▶ **All types** of students need to be able to **identify legal issues**.
- ▶ **All types** of students need to be able to realise which facts are **relevant** and which are **irrelevant**.
- ▶ **All types** of students must be aware that there are **some facts** that they need to know in order to make a **proper decision**.
- ▶ **All types** of students need to understand that if there is a problem they must not just **ignore** it.
- ▶ But for **business students** they must then recognise that this may be the time when they need to go to visit their IP lawyer.
- ▶ For the **law student** this is the time when they must start to **pull their weight**.



Delivery

- ▶ What can the students **absorb** in the **time** allotted?
- ▶ It is important to understand that different students **learn differently.**
- ▶ What sort of learner?
 - ▶ Read/ write
 - ▶ Visual
 - ▶ Aural
 - ▶ Kinaesthetic
 - ▶ Multimodal
- ▶ Lawyers like **lists** but business students on the whole like **graphs and pictures**



IDA Ltd v Uni of Southampton [2006] RPC 21

- ▶ **Concerning:** **Who** is entitled to be considered an inventor?
- ▶ **Facts:**
- ▶ **Legal principle:** To be considered as an inventor all that is required is that the person provided the **inventive aspect** to the patent.



Delivery

Relating to the students

- ▶ Bribery



Questions

- ▶ What is it that **all students** studying law need to be able to do?
- ▶ If you had 30 minutes to teach a business student about trade marks what would **you** choose to teach them?





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Delivery/materials/assessment

- ▶ Books/reading
 - ▶ 4 modules v 12 modules
- ▶ Blackboard
 - ▶ PowerPoint
 - ▶ E-mail
 - ▶ FAQ
 - ▶ Tutorial questions/Advise
 - ▶ Electronic reading/links
- ▶ Assessment
 - ▶ Open book v MCQ



Conclusion

- ▶ Once business students have got over their fear of studying LAW they are receptive and interested and easily understand the importance of Intellectual Property Law to business innovation.





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