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|  <p>Bournemouth University Faculty of Media and Communication</p> | Coursework Assignment Brief | | Academic Year 2021-22 | |
| | PGC/ LLM Intellectual Property | | Level 7 | |
| | International IP Practice (Trade Mark Attorney Route) | | | |
| | Assignment brief | This assignment is a sub element of coursework worth 40% of the overall unit mark | | |

THE BRIEF

Subject to External Examiner Approval

“Supermarkets tread a fine line between brand flattery and infringement of brand owners' intellectual property rights”.

Critically discuss this statement taking into account the relevant case law under the 1994 Trade Marks Act.

Answers should not exceed 2,000 words.

End of the Brief

Learning outcomes applied

Critically evaluate and recommend the procedures necessary for registration, enforcement and defence of a trade mark under the regimes operating within UK, within Europe, and internationally (Learning outcome 2)

Understand and apply the principles of trade mark exploitation for commercial purposes through licensing, franchising and other means (Learning outcome 3)

Analyse and compare the outline principles of court procedure as it affects IP cases (Learning outcome 4)

Criteria for assessment

The following elements will be taken into account in the assessment of the coursework:

- Correct identification of the relevant legal and policy issues arising from the essay question

- Demonstration of ability to carry out independent research and to apply independent, critical thinking to the question(s) at hand
- Accurate analysis of the question(s) at hand, with application of statutory law and judicial decisions, as well as with reference to academic and professional literature and other sources of information
- Presentation of the argument in a clear, logical and coherent manner
- Correct referencing to all sources cited or referred to in the coursework, using the appropriate referencing system.

No marks will be allocated or deducted for writing style. You may present your argument in the way that best conveys your ability to analyse and apply your knowledge, understanding, and research.

SUBMISSION DETAILS

Word limit: **2,000**-word essay (+/- 10% without penalty) footnotes included. Bibliography does not contribute to the final word count.

10% more or less than the word limit is acceptable. More or less than 10% deviance will be penalized by 1 mark for every 200 words in excess or deficit of the word limit.

Submission: Electronically only via Virtual Learning Environment.

DEADLINE

12.00 noon on 03 May 2022

Please note that this is the final time you can submit – not the time to submit!

Your feedback and mark for this assignment will be provided via 'My Grades' in Brightspace.

HELP AND SUPPORT

- **Plagiarism and Self-Plagiarism:** You must acknowledge your source every time you refer to others' work or work that you have previously submitted and been assessed on, using the **OSCOLA** system. Failure to do so amounts to plagiarism or self-plagiarism which is against University regulations. Please refer to <http://www.bournemouth.ac.uk/library/how-to/plagiarism.html> for further details of this and to <http://libguides.bournemouth.ac.uk/bu-referencing-ukeulaw> or <http://libguides.bournemouth.ac.uk/bu-referencing-intllaw> for the University's guide to citation in the OSCOLA style.
- Students with **Additional Learning Needs** may contact Learning Support on <http://studentportal.bournemouth.ac.uk/learning/als/index.html>
- General **academic support** is available via the Academic Skills community on Brightspace.
- **Additional support** for Media School students only is provided by a small team of Learning Development Tutors. Please contact MSLearningDevelopmentTeam@bournemouth.ac.uk to make an appointment.
- If you have any valid **mitigating circumstances** that mean you cannot meet an assignment submission deadline and you wish to request an extension, you will need to complete and submit the Mitigating Circumstances Form for consideration to your Programme/Framework Administrator together with appropriate supporting evidence (e.g., GP note) normally **before** the coursework deadline. Further details on the procedure and the mitigating circumstances form can be found at www.bournemouth.ac.uk/student/mitigating. *Please make sure you read these documents carefully before submitting anything for consideration.*

Disclaimer: The information provided in this assignment brief is correct at time of publication. In the unlikely event that any changes are deemed necessary, they will be communicated clearly via e-mail and Brightspace and a new version of this assignment brief will be circulated.

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