I spoke about two PBL-based units in the IT-IP LLM programme at UEA.

- "Technology Transfer"
  - TT (2009/10) runs much as 2006/7, is 'skills' rather than 'content' oriented
- "IP problems" => "Current Issues in IP"

Old format (TT)

- 4-5 detailed factual, multi-issue scenarios examined over multi-week cycles
- Students assigned to teams, represent clients, prepare, perform exercise (e.g. 'beauty contest', negotiation, or moot); receive feedback at mid- and end-points
The problems with PBL?

• 'Skills' necessarily prevailed over range and content of legal issues covered
• PBL format received mixed, polarised, student feedback and in-class response
• PBL format demanding, and at variance with standard PGT pedagogy

The basic problems

One solution

A different kind of PBL, closer to classic Maastricht (as used in UEA medical school)
• More problems, quicker (one week) cycle, more legal content, less on specific skills
• Retains emphasis on learning-by-doing: introductory readings set, but groups do own research on set proposition

New format

• 10 x “Current Issues in IP” in SEM 2
• Students put in teams of 4x3-4 (class 12+)
• Each team assigned proposition associated with issue for that week
• Each team gives presentation for ≈ 15 min (= 1hr), followed by freeform discussion

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Example issues

Geographical Indications   ISP Liability
TM Dilution and INTEL   WIPO Internet Treaties
The WTO US v China Decision   The ACTA
Access to Medicines   Employee Ownership of Inventions
Patent and Copyright Term   Traditional Knowledge

Example: INTEL® x 4

1. “Frank Schechter was right: protection against non-confusing use is the ‘rational basis’ for trade mark protection.”
2. “Felix Cohen was right: so-called ‘dilution’ has no rational basis, and must be defended on the basis of social utility.”
3. “The INTEL decision is a proportionate and reasonable response to the problem of how far protection of a trade mark should extend beyond cases of confusion.”
4. “INTEL is a well-meaning but inadequate response to the needs of trade mark owners in the 21st Century, and the justice of the case.”

‘I call that a seminar’

- Yes, but:
  - Preparation is team-based and focussed; more formalised, but less directed
  - Skills emphasis retained: legal research, teamwork, presentation, adoption of an assigned role, geopolitical awareness
  - Students learn with and from each other

Remember these problems?

Feedback and response
- PBL means problems?
- Problems (2)
- PBL and the overseas PG student
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Problem and solution?

- Class size, teaching resources/techniques as for normal seminars
- Apathy/resistance not a problem in practice
- Modest learning curve
- Conventional free-choice c/w assessment

Problem and solution?

- Legal content and range as wide and varied as for conventional advanced/in-depth seminars
- Important legal skills developed
- Classes functioned well w/o continuous assessment

Student satisfaction?

- Very positive student response
- Absence of polarisation seen in TT unit (where students either very pro- or very con)

Overseas students

- Retains previous advantages
- Shorter cycle beneficial
- Skills required are more straightforward than for TT (e.g. no mooting)
- Students really do seem to try to engage
What’s missing?

- Some more advanced skills not addressed: advocacy/mooting, negotiation, commercial awareness, evaluation of complex factual situations, issue-spotting, non-legal research, drafting and interpretation
- Continuing TT unit addresses these, but not suitable for all students

Open for questions

c.wadlow@uea.ac.uk