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Информация о владельце:
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Должность: Ректор
Дата подписания: 13.06.2025 14:27:03
Уникальный программный ключ:
ca953a0120d891083f939673078ef1a989dae18a

**Federal State Autonomous Educational Institution of Higher Education
PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA
named after Patrice Lumumba**

LAW INSTITUTE

educational division (faculty/institute/academy) as higher education programme developer

COURSE SYLLABUS

**PRIVATE INTERNATIONAL LAW ISSUES IN THE FIELD OF PROTECTION OF
INTELLECTUAL PROPERTY RIGHTS**

course title

Recommended by the Didactic Council for the Education Field of:

40.04.01 JURISPRUDENCE

field of studies / speciality code and title

**The course instruction is implemented within the professional education programme
of higher education:**

INTERNATIONAL PRIVATE LAW

higher education programme profile/specialisation title

1. COURSE GOAL(s)

The goal of the course «Private International Law Issues in the Field of Protection of Intellectual Property Rights» is more in-depth training of the students and giving them a holistic and systemic understanding of how to protect IP rights. The course is focused on examining the most important theoretical and practical aspects of protecting IP rights and instilling skills of independent analysis of legal situations and adoption of legally competent decisions in the IP disputes.

2. REQUIREMENTS FOR LEARNING OUTCOMES

Mastering the course (module) «Private International Law Issues in the Field of Protection of Intellectual Property Rights» intends to train and guide students to achieve the development of following competences (competences in part):

Table 2.1. List of competences that students acquire through the course study

Competence code	Competence descriptor	Competence formation indicators (within this course)
UC-7	UC-7. Able to: search for the necessary sources of information and data, perceive, analyze, memorize and transmit information using digital means, as well as using algorithms when working with data received from various sources in order to effectively use the information received to solve problems; evaluate information, its reliability, build logical conclusions based on incoming information and data	UC-7.1. Searches for the necessary sources of information and data, perceives, analyzes, memorizes and transmits information using digital means, as well as using algorithms when working with data received from various sources in order to effectively use the information received to solve problems; UC-7.2. Evaluates information, its reliability, builds logical conclusions based on incoming information and data.
GPC-1	GPC-1. Able to analyze non-standard situations of law enforcement practice and offer the best options for their solution	GPC-1.1. Possesses general and special knowledge to identify and resolve non-standard situations (situations in which uniform approaches to the application of the law have not been formed) in law enforcement practice; GPC-1.2. Analyzes non-standard situations in law enforcement practice, including identifying legal and other causes and/or conditions for their occurrence; GPC-1.3. Develops optimal options for solving non-standard situations of law enforcement practice, taking into account possible legal consequences and draws up these decisions in the form prescribed by law.
GPC-2	GPC-2. Independently able to prepare expert legal opinions and carry out examination of normative (individual) legal acts.	GPC-2.1. Knows the rules of preparing expert legal opinions and the rules of the examination of normative (individual) legal acts; GPC-2.2. Independently able to conduct a legal examination of normative (individual) legal acts; GPC-2.3. Has skills in preparing and drawing up expert legal opinions and conducting expert examinations of normative (individual) legal acts.

Competence code	Competence descriptor	Competence formation indicators (within this course)
GPC-3	GPC-3. Able to competently interpret legal acts, including in situations where there are gaps and conflicts of law	GPC-3.1. Knows the essence and specifics of the ways and methods of interpreting legal acts, ways to eliminate gaps and conflicts in law; GPC-3.2 Has the skills to interpret legal acts, including in situations where there are gaps and conflicts of law GPC-3.3 Gives qualified explanations on the content and application of the law
GPC-4	GPC-4. Able to argue in writing and orally the legal position on the case, including in adversarial processes	GPC-4.1. Knows the content of basic and specific legal concepts, terms and definitions, is able to use them to build an oral and written position on a specific legal problem; GPC-4.2. Able to argue in writing and orally the legal position on the case, including taking into account the principle of adversarial proceedings; GPC-4.3. Possesses the skills of drafting legal documents on the case and the skills of public speaking with the argumentation of the position for the professional conduct of polemics in the trial.
GPC-5	GPC-5. Able to independently draw up legal documents and develop drafts of normative (individual) legal acts	GPC-5.1. Possesses general and specific legal knowledge necessary for the preparation of legal documents for various purposes and the development of draft normative (individual) legal acts; GPC-5.2. Independently draws up legal documents and develops drafts of normative (individual) legal acts GPC-5.3. Possesses skills in drafting legal documents and drafting normative (individual) legal acts in accordance with the profile of his professional activity
GPC-7	GPC-7. Able to apply information technologies and use legal databases to solve problems of professional activity, taking into account the requirements of information security	GPC-7.1. Knows the basic information technologies and legal bases for solving problems in various areas of legal activity; GPC-7.2. Applies information technologies and uses legal databases to solve the problems of professional activity, taking into account the requirements of information security; GPC-7.3. Owns the skills of information service and data processing to solve the problems of professional activity, taking into account the requirements of information security.
PC-3	PC-3. Able to skillfully apply the norms of substantive and procedural law in specific areas of legal activity	PC-3.1. Knows the specifics of legal regulation and law enforcement practice in specific areas of legal activity; PC-3.2. Correctly establishes legal facts, as well as facts and circumstances of legal significance, carries out their comprehensive analysis, taking into account the specifics of the evidence process in specific areas of legal activity; PC-3.3. Correctly carries out legal qualification, correctly and reasonably applies the norms of substantive and procedural law in professional activities;

Competence code	Competence descriptor	Competence formation indicators (within this course)
		PC-3.4. Takes a law enforcement decision in the form prescribed by law in compliance with its sectoral affiliation, requirements for the structure, procedure for adoption and competence of the subject of law enforcement.
PC-4	PC-4. Able to provide qualified legal advice in specific areas of legal activity	PC-4.1. Knows the specifics and methodology of consulting in specific areas of legal activity; PC-4.2. Provides qualified advice in specific areas of legal activity; PC-4.3. Possesses the skills of legal consulting in specific areas of legal activity

3.COURSE IN HIGHER EDUCATION PROGRAMME STRUCTURE

The course refers to the variable component of (B1) block of the higher educational programme curriculum.

Within the higher education programme students also master other (modules) and / or internships that contribute to the achievement of the expected learning outcomes as results of the course study.

Table 3.1. The list of the higher education programme components/disciplines that contribute to the achievement of the expected learning outcomes as the course study results

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
UC-7	UC-7. Able to: search for the necessary sources of information and data, perceive, analyze, memorize and transmit information using digital means, as well as using algorithms when working with data received from various sources in order to effectively use the information received to solve problems; evaluate information, its reliability, build logical conclusions based on incoming information and data	Comparative Law Research / Current Issues of Private International Law / Variable Component / Introduction to Private International Law: Theoretical and Historical Aspect / International Commercial Arbitration and Other ADR / Law Applicable to Cross-Border Contractual Obligations /	Academic Practice and Legal Consulting and Scientific Research Internship /
GPC-1	GPC-1. Able to analyze non-standard situations of law enforcement practice and offer the best options for their solution	Philosophy of Law / History and Methodology of Legal Science / Comparative Law Research / Current Issues of Private International Law / International Commercial Arbitration and Other ADR /	Academic Practice and Legal Consulting and Scientific Research Internship /

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
		Law Applicable to Cross-Border Contractual Obligations /	
GPC-2	GPC-2. Independently able to prepare expert legal opinions and carry out examination of normative (individual) legal acts.	Comparative Law Research / Сравнительное правоведение Variable Component / Law Applicable to Cross-Border Contractual Obligations / Право, применимое к трансграничным договорным обязательствам Cross-Border Transactions: Legal and Practical Aspect / Трансграничные сделки: юридический и практический аспект	Digital Methods of Disputes between Resolution in Russia and Abroad / Цифровые способы разрешения споров в России и за рубежом World Trade Organisation Law / Право Всемирной торговой организации Civil Procedural Law and Private International Law In The European Union: Issues of Unification / Гражданское процессуальное право и международное частное право в Европейском союзе: вопросы унификации Legal Regulation of Transactions with Foreign Assets / Правовое регулирование операций с иностранными активами Law of International Trade / Право международной торговли Art and Cultural Heritage Law / Правовое регулирование культурных ценностей и сферы искусства Law of International Banking Transactions / Право международных банковских операций Cross-Border Mergers and Acquisitions / Трансграничные сделки слияния и поглощения Cyberspace: Jurisdiction and Dispute Resolution/ Киберпространство: юрисдикция и разрешение споров Private International Law Issues in the Field of Transnational Insolvency / Вопросы трансграничного банкротства в международном частном праве Notarial System / Нотариат Private International Law Issues in the Field of Insurance Law / Вопросы страховых правоотношений В

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
			международном частном праве
GPC-3	GPC-3. Able to competently interpret legal acts, including in situations where there are gaps and conflicts of law	Philosophy of Law / Comparative Law Research / Current Issues of Private International Law / International Commercial Arbitration and Other ADR / Law Applicable to Cross-Border Contractual Obligations /	Academic Practice and Legal Consulting and Scientific Research Internship /
GPC-4	GPC-4. Able to argue in writing and orally the legal position on the case, including in adversarial processes	Philosophy of Law / Current Issues of Private International Law / Introduction to Private International Law: Theoretical and Historical Aspect /	Academic Practice and Legal Consulting and Scientific Research Internship /
GPC-5	GPC-5. Able to independently draw up legal documents and develop drafts of normative (individual) legal acts	Comparative Law Research / Current Issues of Private International Law / Introduction to Private International Law: Theoretical and Historical Aspect /	Academic Practice and Legal Consulting and Scientific Research Internship /
GPC-6	GPC-6. Able to ensure compliance with the principles of ethics of a lawyer, including taking measures to prevent corruption and suppress corruption (other) offenses	Philosophy of Law / International Commercial Arbitration and Other ADR /	Academic Practice and Legal Consulting and Scientific Research Internship /
GPC-7	GPC-7. Able to apply information technologies and use legal databases to solve problems of professional activity, taking into account the requirements of information security	History and Methodology of Legal Science / Comparative Law Research / Introduction to Private International Law: Theoretical and Historical Aspect / International Commercial Arbitration and Other ADR / Law Applicable to Cross-Border Contractual Obligations /	Academic Practice and Legal Consulting and Scientific Research Internship /

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
PC-3	PC-3. Able to skillfully apply the norms of substantive and procedural law in specific areas of legal activity	Current Issues of Private International Law / Introduction to Private International Law: Theoretical and Historical Aspect /	Academic Practice and Legal Consulting and Scientific Research Internship /
PC-4	PC-4. Able to provide qualified legal advice in specific areas of legal activity	International Commercial Arbitration and Other ADR / Law Applicable to Cross-Border Contractual Obligations /	Academic Practice and Legal Consulting and Scientific Research Internship /

* To be filled in according to the competence matrix of the higher education programme.

4. COURSE WORKLOAD AND ACADEMIC ACTIVITIES

The total workload of the course is 2 credits (72 academic hours)

Table 4.1. Types of academic activities during the periods of higher education programme mastering (full-time training) *

Type of academic activities		Total academic hours	Semesters/training modules			
			3/1	3/2	4/3	4/4
<i>Contact academic hours</i>		32		32		
including:						
Lectures (LC)						
Lab work (LW)						
Seminars (workshops/tutorials) (S)		32		32		
<i>Self-studies</i>		22		22		
<i>Evaluation and assessment (exam/passing/failing grade)</i>		18		18		
Course workload	academic hours	72		72		
	credits	2		2		

5. COURSE CONTENTS

Table 5.1. Course contents and academic activities types

Course module title	Course module contents (topics)	Academic activities types
1. Protection of IP rights. general overview	<ol style="list-style-type: none">1. Intellectual property: definition and types.2. Intellectual property in civil turnover.3. Meaning and types of IP rights.4. Main characteristics of Russian IP legislation, its development trends.5. International collaboration in the field of IP protection.6. Main IP remedies (general comparative analysis).	S
2. Protection of IP rights through civil procedure	<ol style="list-style-type: none">1. Jurisdiction of IP disputes.2. Prejudicial settling of IP disputes.3. Possible claims against IP infringers.4. Preliminary injunction in IP disputes.5. Distinctive characteristics of court proceedings related to IP disputes.6. Expert examination in IP disputes.7. Enforcing of court decisions related to IP disputes.	S

Course module title	Course module contents (topics)	Academic activities types
3. Protection of IP rights in the internet. domain name disputes	<ol style="list-style-type: none"> 1. Internet: definition and history. 2. Use of IP objects in the Internet. 3. Domain name system. Registration of domain names. 4. Unfair registration and use of domain names. 5. United Disputes Resolution Policy and its applicability. 6. Russian court practice related to the domain name disputes. 7. Copyright infringements in the Internet and their prosecution. 	S
4. Protection against unfair competition	<ol style="list-style-type: none"> 1. Antimonopoly bodies and its role in protection of IP rights. 2. Unfair competition related to registration and use of results of intellectual activity and meanings of individualization. 3. Infringement of IP rights in advertising. 4. Comparative advertising and limits of its use. 5. Umbrella advertising. 	S
5. Protection of IP rights through administrative and criminal proceedings	<ol style="list-style-type: none"> 1. Administrative liability for the IP infringements. 2. Distinctive characteristics of administrative proceedings against IP infringement. 3. Criminal liability for the IP infringements. 4. Distinctive characteristics of criminal proceedings against IP infringement. 	S
6. Protection of IP rights with customs assistance	<ol style="list-style-type: none"> 1. Customs Register of IP objects. 2. Entering of IP objects into the Customs Register. 3. Customs suspension of allegedly counterfeit goods. 4. Parallel import. Russian and foreign law related to parallel import. 5. Customs Union between Belarus, Kazakhstan and Russia. 6. Unified Customs IP Register. 	S
7. Legal and economical IP evaluation. IP due diligence	<ol style="list-style-type: none"> 1. IP Due diligence: definition and purposes. 2. Main stages of IP Due Diligence stages, crucial points of research. 3. Main particulars of IP Due Diligence related to different IP rights. 4. Economical appraisal of IP rights. 5. Different approaches to Economical appraisal of IP rights. 	S
8. Grounds and procedures for contesting IP rights	<ol style="list-style-type: none"> 1. Grounds and procedures for contesting of trademarks. 2. Grounds and procedures for contesting patent rights. 3. Disputes about copyright. 4. Unfair squatting of IP rights and its prosecution. 	S

* - to be filled in only for full -time training: LC - lectures; LW - lab work; S - seminars.

6. CLASSROOM EQUIPMENT AND TECHNOLOGY SUPPORT

REQUIREMENTS

Table 6.1. Classroom equipment and technology support requirements

Type of academic activities	Classroom equipment	Specialised educational / laboratory equipment, software, and materials for course study (if necessary)
Lecture	A lecture hall for lecture-type classes, equipped with a set of specialised furniture; board (screen) and technical means of multimedia presentations.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Lab work	A classroom for laboratory work, individual consultations, current and mid-term assessment; equipped with a set of specialised furniture and machinery.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Seminars	A classroom for conducting seminars, group and individual consultations, current and mid-term assessment; equipped with a set of specialised furniture and technical means for multimedia presentations.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Computer Lab	A classroom for conducting classes, group and individual consultations, current and mid-term assessment, equipped with personal computers (in the amount of 30 pcs), a board (screen) and technical means of multimedia presentations.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Self-studies	A classroom for independent work of students (can be used for seminars and consultations), equipped with a set of specialised furniture and computers with access to the electronic information and educational environment	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Courtroom	A classroom for court hearing simulation equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome

* The premises for students' self-studies are subject to MANDATORY mention

7. RESOURCES RECOMMENDED FOR COURSE STUDY

Main reading (sources):

1. Adam Jolly, Jeremy Philpott. The Handbook of European Intellectual Property Management: Developing, Managing and Protecting Your Company's Intellectual Property // Hardcover, 2007. – 434 p.
2. Craig Allen Nard, David W. Barnes, Michael J. Madison. The Law of Intellectual Property // Hardcover, 2008. – 972 p.
3. Daniel C. K. Chow and Edward Lee. International Intellectual Property: Problems, Cases, And Materials // Hardcover, 2006. – 869 p.

Additional (optional) reading (sources):

1. Herbert Hovenkamp, Mark D. Janis, Mark A. Lemley. IP and Antitrust: An Analysis of Antitrust Principles Applied to Intellectual Property // Aspen Publishers, 2001. – 2226 p.
2. John R. Wetherell. A Practical Guide to Life Science Companies (Commercializing & Protecting Innovation) // Paperback, 2009.
3. Michael D. Scott. Licensing & Intellectual Property Law Desk Reference 2004 // Paperback, 2003. – 898 p.
4. Multiple Authors. IP Client Strategies in Central and South America: Leading Lawyers on Building Client Relationships, Understanding the Impact of Recent Cases and Developments, ... Influences on IP Law (Inside the Minds) // Paperback, 2009. – 436 p.
5. Patrick J. Flinn. Handbook of Intellectual Property Claims and Remedies // (Hardcover, 2001.
6. Philip W. Grubb. Patents for Chemicals, Pharmaceuticals and Biotechnology: Fundamentals of Global Law, Practice and Strategy // Hardcover, 2005. – 448 p.
7. Pierre Veron, Thomas Cottier. Concise International and European IP Law: TRIPS, Paris Convention, European Enforcement and Transfer of Technology (Concise IP) // Hardcover, 2008). – 592 p.
8. Rebecca Ordish, Alan Adcock. China Intellectual Property – Challenges and Solutions: An Essential Business Guide // Hardcover, 2008. – 320 p.
9. Ruth Taplin. Valuing Intellectual Property in Japan, Britain and the United States // Hardcover, 2004. – 176 p.
10. Xuan Li, Carlos M. Correa Intellectual Property Enforcement: International Perspectives. Hardcover, 2009. – 239 p.

Internet sources:

1. 1. Electronic libraries (EL) of RUDN University and other institutions, to which university students have access on the basis of concluded agreements:
 - RUDN Electronic Library System (RUDN ELS) <http://lib.rudn.ru/MegaPro/Web>
 - EL "University Library Online" <http://www.biblioclub.ru>
 - EL "Yurayt" <http://www.biblio-online.ru>
 - EL "Student Consultant" www.studentlibrary.ru
 - EL "Lan" <http://e.lanbook.com/>
 - EL "Trinity Bridge"

Laws and regulations

1. Agreement on Trade-Related Aspects of Intellectual Property Rights (Marrakesh, 15.IV.1994) // International Investment Instruments: A Compendium. Volume I. – New York and Geneva: United Nations, 1996. P. 337-371
 2. Berne Convention for the Protection of Literary and Artistic Works of September 09, 1886 // <http://www.wipo.int/treaties/en/ip/berne/>
 3. Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure of April 28, 1977 // <http://www.wipo.int/treaties/en/registration/budapest/>
 4. Convention establishing the World Intellectual Property Organization of July 14, 1967 // <http://www.wipo.int/treaties/en/convention/>
 5. Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms of October 29, 1971 // http://www.wipo.int/treaties/en/ip/phonograms/trtdocs_wo023.html
 6. Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs of July 02, 1999 // http://www.wipo.int/hague/en/legal_texts/wo_haa_t.htm
 7. Hague Agreement Concerning the International Registration of Industrial Designs // <http://www.wipo.int/treaties/en/registration/hague/>
 8. Locarno Agreement Establishing an International Classification for Industrial Designs of October 08, 1968 // <http://www.wipo.int/treaties/en/classification/locarno/>
 9. Madrid Agreement Concerning the International Registration of Marks of April 14, 1891 // <http://www.wipo.int/treaties/en/registration/madrid/>
 10. Nairobi Treaty on the Protection of the Olympic Symbol of September 26, 1981 // http://www.wipo.int/treaties/en/ip/nairobi/trtdocs_wo018.html
 11. Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks of June 15, 1957 // <http://www.wipo.int/treaties/en/classification/nice/>
 12. Paris Convention for the Protection of Industrial Property of March 20, 1883 // <http://www.wipo.int/treaties/en/ip/paris/>
 13. Patent Cooperation Treaty (PCT) of June 19, 1970 // <http://www.wipo.int/treaties/en/registration/pct/>
 14. Patent Law Treaty of June 01, 2000 // <http://www.wipo.int/treaties/en/ip/plt/>
 15. Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations of October 26, 1961 // <http://www.wipo.int/treaties/en/ip/rome/>
 16. Singapore Treaty on the Law of Trademarks of March 27, 2006 // http://www.wipo.int/treaties/en/ip/singapore/singapore_treaty.html
 17. Strasbourg Agreement Concerning the International Patent Classification of March 24, 1971 // <http://www.wipo.int/treaties/en/classification/strasbourg/>
 18. Trademark Law Treaty of October 27, 1994 // <http://www.wipo.int/treaties/en/ip/tlt/>
 19. Universal Copyright Convention of September 06, 1952
 20. Washington Treaty on Intellectual Property in Respect of Integrated Circuits of May 26, 1989 // <http://www.wipo.int/treaties/en/ip/washington/>
 21. WIPO Copyright Treaty of December 20, 1996 // <http://www.wipo.int/treaties/en/ip/wct/>
 22. WIPO Performances and Phonograms Treaty of December 20, 1996 // <http://www.wipo.int/treaties/en/ip/wppt/>
2. Databases and search engines:
- electronic foundation of legal and normative-technical documentation <http://docs.cntd.ru/>
 - Yandex search engine [https:// www .yandex.ru/](https://www.yandex.ru/)
 - Google search engine <https://www.google.ru/>
 - Scopus abstract database <http://www.elsevierscience.ru/products/scopus/>

*Training toolkit for self- studies to master the course *:*

1. The set of lectures on the course _____
2. The laboratory workshop (if any).on the course _____
3. The guidelines for writing a course paper / project (if any) on the course _____.

* The training toolkit for self- studies to master the course is placed on the course page in the university telecommunication training and information system under the set procedure.

8. ASSESSMENT TOOLKIT AND GRADING SYSTEM* FOR EVALUATION OF STUDENTS' COMPETENCES LEVEL UPON COURSE COMPLETION

The assessment toolkit and the grading system* to evaluate the competences formation level (competences in part) upon the course study completion are specified in the Appendix to the course syllabus.

* The assessment toolkit and the grading system are formed on the basis of the requirements of the relevant local normative act of RUDN University (regulations / order).

DEVELOPERS:

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Civil Law and Procedure and
Private International Law

Mikhail N. Kuznetsov

position, department

signature

name and surname

HEAD OF EDUCATIONAL DEPARTMENT:

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