

COURSE OF STUDY POLITICAL, ECONOMIC AND ADMINISTRATIVE SCIENCES L-16
ACADEMIC YEAR 2023-2024
ACADEMIC SUBJECT INDUSTRIAL LAW

General information	
Year of the course	III year
Academic calendar (starting and ending date)	September 18 th , 2023 – December 7 th , 2023
Credits (CFU/ETCS):	6 ECTS
SSD	IUS/04
Language	Italian
Mode of attendance	Attendance, while not compulsory, is highly recommended

Professor/ Lecturer	
Name and Surname	Nicolò MUCIACCIA
E-mail	nicolo.muciaccia@uniba.it
Telephone	
Department and address	Corso Italia, 23 – 2 nd floor
Virtual room	Microsoft Teams, code: 6hbukrh
Office Hours (and modalities: e.g., by appointment, on line, etc.)	The office hour will take place at the end of each lesson and, in case of need, on other days agreed by email.

Work schedule			
Hours			
Total	Lectures	Hands-on (laboratory, workshops, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
150	48		102
CFU/ETCS			
6			

Learning Objectives	The course aims to provide students with the fundamental notions on the principles that govern the industrial property system in the Italian legal system, with specific reference to the discipline of IPRs, unfair competition and Antitrust Law. Although the course essentially focuses on the analysis and study of the Italian discipline, some notes will be provided on the European and international discipline.
Course prerequisites	Passing Private law exam is a prerequisite for taking the industrial law exam.

Teaching strategie	The course will accompany theoretical lectures with practical exercises that will give the attending students the opportunity to actively participate, establishing a debate on the topics covered and arguing on opposing solutions for the resolution of concrete cases.
Expected learning outcomes in terms of	
Knowledge and understanding on:	Each student who has attended the course in any form or who has even studied the teaching material will first of all be able to distinguish between regulatory provisions and their interpretations, will know the functions and purposes of the institutions analyzed and will have at least memorized the contents of the provisions, mastering the lexicon of matter.
Applying knowledge and	Each student will be able, starting from a specific case, to operate a correct legal

understanding on:	qualification supported by an appropriate argument regarding the solution of the proposed case.
Soft skills	<p>The course will focus on the study of the principles and regulations (national, European and international) of unfair competition and IPRs; brief notes will also be dedicated to Antitrust Law, also aiming to develop:</p> <ul style="list-style-type: none"> • independent judgment: each student, and in particular those who actively take part in lessons and seminars, will be encouraged to discuss not only on the basis of the notions learned during the course, but above all on the basis of what they have learned previously in other courses and their general culture; • communication skills: students' communication skills are assessed during the exam. For students who actively participate in lessons, these skills will be subject to corrective actions by the teacher; • the ability to learn: at the end of the course, the student will be able to present himself in a «working» situation (or preparatory to professional work) having acquired tools in the field of Industrial Law that allow him to operate with a good gradient of autonomy.
Syllabus	
Content knowledge	<p>The Industrial Law course, ideally composed of two modules, will be dedicated to the study of the ways of being of business activity in the market and, in particular, after a historical and systematic introduction, the distinctive signs, IPRs and Antitrust Law will be analysed.</p> <p>The contents of the program are:</p> <ol style="list-style-type: none"> 1. introduction to Intellectual Property: the emergence and historical development of the techniques of appropriation of intellectual property objects; economic theories of intellectual property; protected interests; the Industrial Property Code; 2. the legal functions of the discipline of distinctive signs: trademark law (validity requirements; object of protection; content of trademark law; circulation of the right, trademark licenses; coordination between the disciplines of registered trademarks, unregistered trademarks and other distinctive signs such as company, sign, Internet domain name; collective trademarks); 3. patent systems and the right to secrets: the legal functions of the various «patent» systems; the patent for industrial invention (patent right and patent right; constitutive cases; object of protection and protectability requirements; patent circulation, patent licenses); utility model patents; designs and models; the design right and its coordination with the disciplines of distinctive signs, copyright, unfair competition; 4. the techniques of appropriation of intellectual works: copyright and related rights (legal functions of copyright and related rights; constitutive cases; object of protection and protectability requirements; content of copyright; circulation of property law; contracts relating to intellectual property; introduction to the system of rights related to copyright); 5. unfair competition and Antitrust Law: the rules of professional correctness and the prohibition of unfair competition; acts of unfair competition; the various variations of the concept of «competition»; agreements, abuse of dominant position and mergers.
Texts and readings	<p>AA.Vv., <i>Diritto industriale – Proprietà intellettuale e concorrenza</i>, Giappichelli, 2020, 6ª ed. (or, in case of update, latest available edition), pp. 3-777;</p> <p>OR</p> <p>A. VANZETTI-V. DI CATALDO-M.S. SPOLIDORO, <i>Manuale di diritto industriale</i>, Giuffrè Francis Lefebvre, 2021, 9ª ed. (or, in case of update, latest available edition), pp. 3-534; 577-679;</p> <p>and</p>

	AA.VV., <i>Diritto industriale – Proprietà intellettuale e concorrenza</i> , Giappichelli, 2020, 6 ^a ed. (or, in case of update, latest available edition), pp. 623-777.
Notes, additional materials	For the attendance of the course and for the preparation of the exam, it is strongly recommended to consult a civil code and the «special laws», such as the industrial property code (Legislative Decree n. 30/2005) and the law on copyright (Law n. 633/1941). The regulatory texts are freely available from the portal https://www.normattiva.it and, therefore, it is not necessary to purchase codes. For those who wish, however, we recommend alternatively between them: 1) G. DE NOVA, <i>Codice civile e leggi collegate</i> , Zanichelli, last edition; or 2) A. DI MAJO, <i>Codice civile</i> , Giuffrè Francis Lefebvre, last edition.
Repository	The lecture material provided in class will be available on the professor's page.

Assessment	
Assessment methods	The method of testing the expected learning outcomes is the oral test, which consists of a minimum of three questions on the teaching programme. The grade is expressed in thirtieths. If the candidate does not demonstrate at least sufficient knowledge of the basic topics in the syllabus, no further questions may be taken.
Assessment criteria	During the final exam, the candidate, with analytical skills, independent judgment, critical sense and language skills, must demonstrate that he is able to clearly and appropriately represent the discipline of Industrial Law.
Final exam and grading criteria	The criteria followed for the evaluation of learning outcomes expressed in thirtieths are: - Insufficient: 0-17 Lack of, incomplete and inadequate knowledge of the topics contained in the syllabus, use of non-legal vocabulary by candidates; - Sufficient: 18-20 Sufficient knowledge of the topics contained in the syllabus and overall adequacy of the legal vocabulary used by candidates - Fair: 21-23 Fair knowledge of the topics contained in the syllabus, fair ability to argue and make connections between the various topics, through the use of appropriate legal vocabulary by the candidates - Good: 24-26 Good knowledge of the topics contained in the syllabus, good capacity for in-depth analysis and criticism, through the use of appropriate legal vocabulary by the candidates - Distinguished: 27-28 More than good knowledge of the topics contained in the syllabus, more than good capacity for in-depth study, for linking the various topics, for critique and mastery of legal vocabulary by the candidates - Outstanding: 29-30 Very good knowledge of the topics contained in the syllabus, very good capacity for in-depth study, for linking the various topics, as well as for criticism and command of the legal vocabulary on the part of the candidates - Excellent: 30L Excellent knowledge of the topics contained in the syllabus, excellent capacity for in-depth study, for linking the various topics, for critique and mastery of the legal vocabulary on the part of the candidates.
Further information	
	The assignment of the degree theses will take place within the office hour and in accordance with the methods and times provided for in the teaching regulations. Erasmus students will be able to agree on an <i>ad hoc</i> program with the professor.