

City University of Hong Kong

Course Syllabus

offered by School of Law
with effect from Semester B 2023/24

Part I Course Overview

Course Title:	Commercialisation of Intellectual Property
Course Code:	LW6199E
Course Duration:	One semester
Credit Units:	3
Level:	P6
Medium of Instruction:	English
Medium of Assessment:	English
Prerequisites: <i>(Course Code and Title)</i>	Nil
Precursors: <i>(Course Code and Title)</i>	Nil
Equivalent Courses: <i>(Course Code and Title)</i>	Nil
Exclusive Courses: <i>(Course Code and Title)</i>	Nil

Part II Course Details

1. Abstract

Almost any product or service in the marketplace is the result of a long chain of innovations and intellectual property (IP) plays a crucial role. In fact, the interconnection of business and IP has never been stronger evolving into a symbiotic relationship where the value of one is tied to the other and vice versa. Today's successful lawyers dealing with IP and related trade issues know this and are in tune with their clients' business strategies. Even the World Intellectual Property Office (WIPO) now places particular emphasis on IP commercialization and business. To be able to critically identify, evaluate, and analyse intellectual property issues in business, and eventually apply legal principles in IP related problem-solving, is crucial for business success and as noted earlier, success as an IP practitioner.

This course aims at providing a discovery-enriched curriculum for students to discover and explore the principles and framework of IP in the contemporary business environment, from the incubation and development of innovation, to validation, strategy and commercialization and also covers some of the most important developments affecting the business of IP including the growing intersection of IP and fintech and IP tokenization, IP trading and exchanges and the associated challenges, artificial intelligence and cross border data flows. Subjects cover the development, commercialization, management, realization, and protection of various IP rights. Successful completion of the course will enhance students' capabilities in critical thinking and analysis in relation to business IP and build up students' practical skills in problem-solving IP issues in a business context.

2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

No.	CILOs	Weighting (if applicable)	Discovery-enriched curriculum related learning outcomes (please tick where appropriate)		
			A1	A2	A3
1.	<p>Identify, analyse and critically explain the substantive rules and legal framework concerning business IP in Hong Kong and other related jurisdictions such as the PRC.</p> <ul style="list-style-type: none"> ● Assess, scrutinize and recognize the role of IP in modern business model and international market. 		√	√	
2.	<p>Analyse, compare and critically evaluate:</p> <ul style="list-style-type: none"> ● issues and concerns in the field of business IP. ● the objectives of IP law and the practical implications of the IP rules in the commercial/social context. ● the operation of the substantive rules of IP protection in commercial activities. 		√	√	
3.	<p>Apply the principles of IP law to solve legal problems by:</p>		√	√	√

	<ul style="list-style-type: none"> ● researching on business IP issues in Hong Kong and other relevant jurisdictions. ● analysing and offering different strategic approaches concerning IP issues in business context. ● communicating their solutions coherently and accurately. 				
		100%			

A1: *Attitude*

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: *Ability*

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to self-life problems.

A3: *Accomplishments*

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

3. Teaching and Learning Activities (TLAs)

(TLAs designed to facilitate students' achievement of the CILOs.)

TLA	Brief Description	CILO No.			Hours/week (if applicable)
		1	2	3	
<i>Seminars by the coordinator</i>	<ul style="list-style-type: none"> ● Students will acquire knowledge of the substantive rules of IP law in business through a comparative approach in Hong Kong and other jurisdictions. ● Students will be given guidance on their reading and research for their seminars and group project presentations. ● Students by responding to questions and performing exercises will develop their analytical and critical capabilities and discuss important issues pertaining to topics covered in the syllabus. 	√	√	√	3
<i>Seminars by guest speakers (if any)</i>	<ul style="list-style-type: none"> ● Instructors will introduce students to issues, concerns and aspects of the operation of the substantive rules applicable to IP law in business. ● Instructor will show how legal problems are solved by applying principles and rules and compare international legal principles related to IP law in business. 				
<i>Guided Preparation & Presentatio</i>	<ul style="list-style-type: none"> ● Students will research contemporary issues of business & IP law. ● Students will give presentations on selected topics in which they will scrutinise, analyse 				

<i>n of Group IP Projects</i>	and evaluate issues and concerns in the field of business IP law and provide a comparative aspect.				
-----------------------------------	--	--	--	--	--

4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

Assessment Tasks/Activities	CILO No.			Weighting	Remarks
	1	2	3		
Continuous Assessment: 100%					
A discovery-enriched group project presentation and report on a current business IP issue to assess students' originality, problem-solving ability, and sensitivity to current IP-related business opportunities.	√	√	√	40%	As the instructor is familiar with AI technology and believes that students will be using AI extensively in the future, the instructor will allow, and even encourages students to use GenAI to help with research for their presentations or for their research papers. The only stipulation is that if students use GenAI to assist in writing their research papers they state that they used GenAI and the system they used (e.g. ChatGPT, ERNIE, etc.).
Class participation with in-class exercises designed to reinforce learning, stimulate discussion, critical thinking and improve communications skills.	√	√	√	35%	
Individual research paper on one of the selected issues of the course to assess students' abilities for analytical thinking and critical examination on relevant business IP issue from both theoretical and practical perspectives.	√	√	√	25%	
				100%	

Applicable to students admitted in Semester A 2022/23 and thereafter

Students must obtain an overall mark of 50% in order to pass the course.

Applicable to students admitted before Semester A 2022/23

Students must obtain an overall mark of 40% in order to pass the course.

5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Applicable to students admitted in Semester A 2022/23 and thereafter

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B)	Marginal (B-, C+, C)	Failure (F)
A discovery-enriched group project presentation and report on a current business IP issue to assess students' originality, problem-solving ability, and sensitivity to current IP-related business opportunities.	An original group project shows evidence of problem-solving ability and sensitivity to IP business opportunities.	High	Significant	Moderate	Inadequate
Class participation	Good presentation of topic considering both content and communications aspects.	High	Significant	Moderate	Inadequate
Individual research paper on one of the selected issues of the course to assess students' abilities for analytical thinking and critical examination on relevant business IP issue from both theoretical and practical perspectives.	Good selection of topic and smooth formulation of the argumentation that shows good grasp of the subject matter with decent coverage and depth, and indicates evidence of the abilities for critical thinking and analytical analysis.	High	Significant	Moderate	Inadequate

Applicable to students admitted before Semester A 2022/23

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Fair (C+, C, C-)	Marginal (D)	Failure (F)
A discovery-enriched group project presentation and report on a current business IP issue to assess students' originality, problem-solving ability, and sensitivity to current IP-related business opportunities.	An original group project shows evidence of problem-solving ability and sensitivity to IP business opportunities.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.
Class participation	Good participation and contribution for individual and group presentation assignments.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base and superior presentation skills.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature and good presentation skills.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material, and adequate presentation skills.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course and fair presentation skills.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature and poor presentation skills.
Individual research paper on one of the selected issues of the course to assess students' abilities for analytical thinking and critical examination on relevant business IP issue from both theoretical and practical perspectives.	Good selection of topic and smooth formulation of the argumentation that shows good grasp of the subject matter with decent coverage and depth, and indicates evidence of the abilities for critical thinking and analytical analysis.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Part III Other Information (more details can be provided separately in the teaching plan)

1. Syllabus

1.1 Keyword Syllabus

(An indication of the key topics of the course.)

IP rights; IP strategies; trade secrets and IP in a company; IP commercialization of IP and financial innovation; internet and cultural economy; important contemporary IP issues: tokenization, valuation, AI, cross border data flows

1.2 Detailed Syllabus

1. IP Rights and associated business strategies for:
 - a) Trademarks
 - b) Copyright
 - c) Patents
 - d) Other IP rights and Trade Secrets
2. Important contemporary IP and related business issues:
 - a) IP valuation Artificial Intelligence
 - b) Cross Border Data flows
 - c) Commercialization of IP
 - d) IP Trading and exchanges
 - e) IP Tokenization and the intersection of IP and Fintech
 - f) IP opportunities in the internet and cultural economy

2. Reading List

2.1 Suggested Background Readings:

(Additional references for students to learn to expand their knowledge about the subject.)

Douglas CLARK, *Intellectual Property in Hong Kong*, LexisNexis, 2022.

Bryan MERCURIO and Ronald YU, *Regulating Cross-Border Data Flows: Issues, Challenges and Impact*, Anthem Press 2022.

Ronald YU, *Intellectual Property and Contemporary Business*, LexisNexis, 2022.

Ronald YU, *Intellectual property for business*, LexisNexis, 2013.

Kenny WONG & Alice LEE, *Intellectual Property Law and Practice in Hong Kong*, Sweet & Maxwell, 2012.

WIPO, *Why Intellectual Property is Essential for Business*, available at: [Why Intellectual Property is Essential for your Business \(wipo.int\)](https://www.wipo.int/sme/en/Why-Intellectual-Property-is-Essential-for-your-Business) <https://www.wipo.int/sme/en/>

2.2 Weekly Readings:

To be specified and circulated by relevant weekly speakers ahead of time.

2.3 Online Resources:

Government of Hong Kong: Intellectual Property Protection
<http://www.gov.hk/en/residents/communication/infosec/intproperty.htm>

Intellectual Property Department, Hong Kong: <http://www.ipd.gov.hk/eng/home.htm>

Asia IP Exchange: http://www.asiaipex.com/Home/Index_EN.