

**MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE  
WEST UKRAINIAN NATIONAL UNIVERSITY  
LAW FACULTY**

Approved

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« 31 » 08 2023



Approved

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« 31 »



**Work program  
discipline**

**«International copyright law»**

Higher education degree - bachelor  
Field of knowledge - 29 International relations  
Specialty - 293 International law  
Educational and professional program – «International law»

**Department of International Law and Migration Policy**

Form of study	Study year	Semester	Lectures	Practical classes	Individual work	Training, CPIT	Student-self study	Total	Exam/Credit
Full-time	4	7	28	12	2	8	100	150	Credit

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*[Signature]*

The work program was prepared by PhD in Law, Associate Professor, Associate Professor of the Department of International Law and Migration Policy Hanna POPERECHNA.

The work program was considered and approved at the meeting of the Department of International Law and Migration Policy, Protocol No. 1 dated August 29, 2023.

Head of Department



Yaryna ZHUKORSKA

Considered and approved by the Support group of specialty 293 International law, Protocol No. 1 dated August 31, 2023.

Head of the SGS



Yaryna ZHUKORSKA

Guarantor of EP



Liudmyla SAVANETS

# STRUCTURE OF THE WORK PROGRAM OF THE TRAINING DISCIPLINE "INTERNATIONAL COPYRIGHT LAW"

## 1. DESCRIPTION OF THE DISCIPLINE "INTERNATIONAL COPYRIGHT LAW"

Discipline "International Copyright law"	Field of knowledge, Specialty, Educational and Professional Program, higher education degree	Characteristics of the discipline
Number of credits ECTS - 5	Field of knowledge – 29 International relations	Discipline status: selective Language of study: english
The number of credits modules - 3	Specialty – 293 International law	Year of preparation - 4 Semester: - 7
Number of content modules -2	Educational and Professional Program - International Law	Lectures: 28  Practical classes: 12
Total hours - 150	Higher education degree – bachelor	Student-self study – 100 hours, training, CPIT – 8 hours  Individual work - 2 hours.
Weekly hours - 10 hours, including 3 hours of classroom hours.		Type of final control – credit

## 2 THE PURPOSE AND TASKS OF STUDYING THE DISCIPLINE “INTERNATIONAL COPYRIGHT LAW”

### 2.1. The purpose of studying discipline

The aim of the discipline "International Copyright Law" is a deep and thorough study by students of the peculiarities of the legal regulation of personal non-property and property relations in various civil law systems.

### 2.2. The task of studying the discipline:

To form the ability to: identify, formulate and evaluate problems in the field of international copyright law, apply tools, means and methods of international copyright law to solve them; master and freely operate with special legal terminology in the field of copyright of different countries; know the basic provisions of civil law in the context of intellectual property law of different countries; know the practice of applying civil law.

### 2.3. Learning outcomes:

As a result of studying student will be able to

- characterize the essence of civil law;
- interpret the current legislation of different countries;
- apply in practice the rules of civil law in the field of intellectual property law.

### **3. PROGRAM OF EDUCATIONAL DISCIPLINE “INTERNATIONAL COPYRIGHT LAW”**

#### **Content module I. General principles of functioning of international copyright**

##### **Topic 1. General characteristics of copyright law.**

Copyright and the Public Domain. International standards of copyright law. Origin and ownership of copyright. The rights created by copyright law. The Limits of Copyright. Copyright Licenses.

##### **Topic 2. Sources of legal regulation of copyright law.**

Concepts and types of sources of copyright law. System of sources of copyright law. Legal regulation of intellectual property rights by the norms of civil law. Special regulations. International copyright law regulation system. Paris Convention on Industrial Property. Berne Convention for the Protection of Literary and Artistic Works. Other international conventions and treaties. Convention on the Establishment of the World Intellectual Property Organization.

##### **Topic 3. The Scope of Copyright Law**

The definition of a literary or artistic work. The concept of originality. Fixation. The exclusion of ideas from copyright protection. Owning a copy vs. owning a copyright. What is an “author? Rights ownership rules: how to determine the original rights holder. works by multiple authors: rules for joint authorship and collaborations. derivative works. Collective works and compilations. Employees and works for hire. civil servants, researchers and professors. The relationship between copyright infringement and other unauthorized activities. Copyright duration. Extensions of the scope of copyright protection. Audiovisual/cinematographic. computer programs. broadcast, recording, interpretation.

##### **Topic 4. Rights, Exceptions, and Limitations**

Economic rights. Rights relating to reproduction and distribution of a work. Rights relating to communication of a work to the public. Moral rights. Neighboring and "sui generis" rights. Rental and lending rights. Exceptions and limitations. Allowing library patrons to use the library's copy machines or other copy equipment. Making copyrighted materials available on the library's computers. Making copies for library patrons. Making digital copies for preservation and replacement. Creating course packs for students. adapting materials for the blind, visually impaired and other reading disabled persons. Inter-library loans. Compulsory licenses.

##### **Topic 5. Managing of copyrights**

Individual management. Licenses and assignments. Licenses in the digital environment. Content of a typical license: the example of an online database. Identification of the parties to the agreement. Definition of terms that will be used in the agreement. Subject of agreement. use rights in the agreement. Other conditions on licensed uses. Licensor obligations. Term, termination and renewal of a license.

Collective management. Purpose and functions of collective management organizations. Compulsory collective management. Technological protection measures. Orphan works.

**Content module 2.**

**Topic 6. Creative Approaches and Alternatives**

Introduction: physical and digital commons. Free software licenses. Creative commons. The license options. Creative commons licenses formats. The scope of the license. Other creative commons projects. Creative commons international. Educational and science commons. New creative commons protocols. Implications for authors and for users. The open access movement.

**Topic 7. Enforcement**

What infringes copyright. Acts that may infringe copyright. direct and indirect infringement. The liability of online service providers. procedures and penalties. Legal procedures and remedies. Cross-border infringement, extraterritoriality, conflict of laws and jurisdictional limitations. The complex responsibilities of librarians.

**Topic 8. International copyright protection: case study**

The Swedish Pirate Party. "Click Wrap" Licenses and the Uniform Commercial Code. Copyright Law and Folklore.

**4. STRUCTURE OF A CREDIT IN AN EDUCATIONAL DISCIPLINE "INTERNATIONAL COPYRIGHT LAW"**

	<i>Number of hours</i>					
	Lectures	Practical classes	Student-self study	Individual work	Training, CPIT	Control measures
<b>Content module I.</b>						
Topic 1. General characteristics of copyright law.	4	2	12	1	4	Tests, questions, cases
Topic 2. Sources of legal regulation of copyright law.	4	2	12			Tests, questions, cases
Topic 3. The Scope of Copyright Law	4	2	12			Tests, questions, cases
Topic 4. Rights, Exceptions, and Limitations	2	1	12			Tests, questions, cases
Topic 5. Managing of copyrights	2	1	10			Tests, questions,

						cases
<b>Content module 2.</b>						
Topic 6. Creative Approaches and Alternatives	4	2	10	1	4	Tests, questions, cases
Topic 7. Enforcement	4	1	10			Tests, questions, cases
Topic 8. International copyright protection: case study	4	1	10			Tests, questions, cases
Together	28	12	100	2	8	

## 5. TOPICS OF PRACTICAL CLASSES ON THE DISCIPLINE "INTERNATIONAL COPYRIGHT LAW"

### Practical lesson №1.

**Topic:** General characteristics of copyright law.

**Questions for discussion:**

1. Copyright and the Public Domain.
2. International standards of copyright law.
3. Origin and ownership of copyright.
4. The rights created by copyright law.
5. The Limits of Copyright.
6. Copyright Licenses.

### Practical lesson № 2.

**Topic:** Sources of legal regulation of copyright law.

**Questions for discussion:**

1. Concepts and types of sources of copyright law.
2. System of sources of copyright law.
3. Legal regulation of intellectual property rights by the norms of civil law.
4. Special regulations. International copyright law regulation system.
5. Paris Convention on Industrial Property.
6. Berne Convention for the Protection of Literary and Artistic Works.
7. Other international conventions and treaties.
8. Convention on the Establishment of the World Intellectual Property Organization.

### **Practical lesson № 3.**

**Topic:** The Scope of Copyright Law

**Questions for discussion:**

1. The definition of a literary or artistic work.
2. The concept of originality. Fixation.
3. The exclusion of ideas from copyright protection.
4. Owning a copy vs. owning a copyright.
5. What is an "author"?
6. Rights ownership rules: how to determine the original rights holder.
7. Works by multiple authors: rules for joint authorship and collaborations. derivative works.
8. Collective works and compilations.
9. Employees and works for hire. civil servants, researchers and professors.
10. The relationship between copyright infringement and other unauthorized activities.
11. Copyright duration. Extensions of the scope of copyright protection.
12. Audiovisual/cinematographic. computer programs. broadcast, recording, interpretation.

**Topic:** Rights, Exceptions, and Limitations

**Questions for discussion:**

1. Economic rights.
2. Rights relating to reproduction and distribution of a work.
3. Rights relating to communication of a work to the public.
4. Moral rights. Neighboring and "sui generis" rights.
5. Rental and lending rights. Exceptions and limitations.
6. Allowing library patrons to use the library's copy machines or other copy equipment.
7. Making copyrighted materials available on the library's computers.
8. Making copies for library patrons. Making digital copies for preservation and replacement.
9. Creating course packs for students. adapting materials for the blind, visually impaired and other reading disabled persons.
10. Compulsory licenses.

### **Practical lesson № 4.**

**Topic:** Creative Approaches and Alternatives

**Questions for discussion:**

1. Introduction: physical and digital commons.
2. Free software licenses.
3. Creative commons.
4. The license options.
5. Creative commons licenses formats.
6. The scope of the license.
7. Other creative commons projects.
8. Creative commons international.

9. Educational and science commons.
10. New creative commons protocols.
11. Implications for authors and for users.
12. The open access movement.

### **Topic: Managing of copyrights**

#### **Questions for discussion:**

1. Individual management.
2. Licenses and assignments.
3. Licenses in the digital environment.
4. Content of a typical license: the example of an online database.
5. Identification of the parties to the agreement.
6. Definition of terms that will be used in the agreement.
7. Subject of agreement. use rights in the agreement.
8. Other conditions on licensed uses.
9. Licensor obligations.
10. Term, termination and renewal of a license.
11. Collective management.
12. Purpose and functions of collective management organizations.
13. Compulsory collective management.
14. Technological protection measures. Orphan works.

### **Content module 2**

#### **Practical lesson № 5.**

#### **Topic: Creative Approaches and Alternatives**

#### **Questions for discussion:**

1. Introduction: physical and digital commons.
2. Free software licenses.
3. Creative commons.
4. The license options.
5. Creative commons licenses formats.
6. The scope of the license.
7. Other creative commons projects.
8. Creative commons international.
9. Educational and science commons.
10. New creative commons protocols.
11. Implications for authors and for users.
12. The open access movement.



## **Practical lesson № 6.**

### **Topic: Enforcement**

#### **Questions for discussion:**

1. What infringes copyright.
2. Acts that may infringe copyright.
3. Direct and indirect infringement.
4. The liability of online service providers. procedures and penalties.
5. Legal procedures and remedies.
6. Cross-border infringement, extraterritoriality, conflict of laws and jurisdictional limitations.
7. The complex responsibilities of librarians.

### **Topic: International copyright protection: case study**

#### **Questions for discussion:**

1. The Swedish Pirate Party.
2. "Click Wrap" Licenses and the Uniform Commercial Code.
3. Copyright Law and Folklore.

## **6. COMPLEX PRACTICAL INDIVIDUAL TASK**

Complex practical individual task (CPIT) is a form of organization of education, which aims to deepen, generalize and consolidate the knowledge that students receive in the learning process, as well as the application of this knowledge in practice. CPIT is performed by students independently under the guidance of teachers, it is a completed theoretical or practical work within the curriculum of the course, which is performed on the basis of knowledge, skills and abilities acquired in the course of lectures, practical classes.

#### **Proposed theoretical issues of CPIT:**

1. The concept of intellectual property rights. Differences between intellectual property objects and property rights objects.
2. Institutions of intellectual property law. Their brief description.
3. Personal and property rights of intellectual property subjects.
4. Methods and procedure for protecting patent rights.
5. Patent terms of the invention.
6. Rights and responsibilities of the patent owner: the concept and characteristics.
7. Commercialization of intellectual property as part of the circulation of intellectual capital.
8. Concepts, objects and subjects of copyright. The emergence of copyright and the conditions for granting legal protection.
9. Protection of industrial property. Patents: types, terms of grant, validity.
10. License agreement: structure, rights and obligations of the parties. Types of license agreements.

## 7. STUDENT-SELF STUDY ON THE DISCIPLINE "INTERNATIONAL COPYRIGHT LAW"

Student-self-study is the main way for students to learn educational material outside of classroom time without the participation of a teacher. The scope and content of independent work is determined by the work program and work plan within the established amount of hours from the academic discipline, methodical instructions of the teacher. The student's independent work is provided by a system of educational and methodological tools: notes of the teacher's lectures, textbooks, educational and methodical guides, monographic literature and periodicals, as well as self-monitoring tools (tests, situational tasks). Students have the opportunity to study the educational material independently in the library, classrooms and computer classrooms using the Internet, as well as at home (when receiving the appropriate package of educational and methodological literature).

<b>№ п/п</b>	<b>Topic</b>
1	Topic 1. General characteristics of copyright law.
2	Topic 2. Sources of legal regulation of copyright law.
3	Topic 3. The Scope of Copyright Law
4	Topic 4. Rights, Exceptions, and Limitations
5	Topic 5. Managing of copyrights
6	Topic 6. Creative Approaches and Alternatives
7	Topic 7. Enforcement
8	Topic 8. International copyright protection: case study

## 8. TRAINING ON THE DISCIPLINE "INTERNATIONAL COPYRIGHT LAW"

### **Organizing and conducting training**

Training is a planned process of modifying (changing) the learner's attitude, knowledge or behavioral skills through the acquisition of learning experience in order to achieve effective performance in one activity or in a particular field.

### **The order of training**

1. The introductory part is held in order to acquaint students with the topic of the training session.
2. The organizational part is to create a working mood in the team of students, determining the rules of the training session. It is possible to have handouts in the form of tables, forms of documents.
3. The practical part is implemented by performing tasks in groups of students on certain problematic issues of the training session.
4. Summing up. The results of completed tasks in groups are discussed. Exchange of views on issues raised at the training sessions.

### **Training topics**

1. Contracts for the creation of copyright.
2. Contracts for the use of copyright.

### **Teaching methods**

In the educational process are used: lectures, practical and individual lessons, group work, abstracting, as well as methods of questioning, testing and more.

## **9. ASSESSMENT TOOLS AND METHODS OF DEMONSTRATION OF LEARNING RESULTS**

In the process of studying the discipline "International Copyright law", evaluation tools and methods of demonstrating learning results are used: current survey; credit module survey; team projects; analytical reports, abstracts, essays; presentations of the results of completed tasks and research;. The final form of control is an credit. When studying the academic discipline "International Copyright law", the following teaching methods are used: lectures, practical classes, individual classes, performing scientific works under the guidance of a teacher.

### **Evaluation methods.**

In the process of studying the discipline "International Copyright law" the following methods are used to evaluate the student's academic work:

- current testing and surveys;
- modular testing and survey;
- evaluation of CPIT implementation;
- other.

## **10. CRITERIA, FORMS OF CURRENT AND FINAL CONTROL**

The final score (on a 100-point scale) in the discipline "International Copyright law" is defined as a weighted average, depending on the proportion of each component of the credit:

Credit module 1	Credit module 2	Credit module 3	Total
30%	40%	30%	100%
1. Oral questioning during classes (5 topics of 5 points - 25 points)	Oral questioning during classes (3 topics of 5 points - 15 points) 2. Written work - 85 points	1. Writing and defense of CPIT - 80 points 2. Performing tasks during the training - 20 points	100

2. Written work - 75 points			
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**Rating scale:**

On the WUNU scale	On a national scale	ECTS scale:
90–100	excellent	A (excellent)
85–89	good	B (very good)
75-84		C (good)
65-74	satisfactory	D (satisfactory)
60-64		E (enough)
35-59	non-satisfactory	FX (non-satisfactory with possibility of repeated passing)
1-34		F (non-satisfactory with repeated course of lectures)

**11. Tools, equipment and software, the use of which provides for the discipline**

№	Name	Topic
1.	Flipchart	1-8
2.	Laptop	1-8
3.	Projector	1-8
4.	Smart-TV	1-8

**List of recommended literature:**

- Ricketson S., Ginsburg J. International copyright and neighbouring rights: The Berne Convention and beyond. 2022. Hardback. 1184 p.
- Bowker R. R. *Copyright, its History and its Law*. BoD–Books on Demand. 2020. 518 p.
- Lundstedt, L. Jurisdiction and choice of law in online copyright cases. In *The Routledge Handbook of EU Copyright Law*/ Routledge. 2021. pp. 396-412
- Litman J. Revising copyright law for the information age. In *The Internet and Telecommunications Policy 2020*.Routledge. pp. 271-296.
- Bonadio, E. McDonagh, L. Artificial intelligence as producer and consumer of copyright works: evaluating the consequences of algorithmic creativity. *Intellectual Property Quarterly*, 2020. 2. P.112-137.
- Штефан О. Цивільно-правові способи захисту авторського права і суміжних прав: новації законодавства. *Теорія і практика інтелектуальної власності*. 2023. (1-2), С. 64-74.
- Бисага, Ю. М., Белов, Д. М., Заборовський, В. В. Штучний інтелект та авторські і суміжні права. *Науковий вісник Ужгородського національного університету. Серія: Право*, 2023 2(76), С. 299-304.
- Дроб'язко В., Троцька В. Цивільно-правовий захист авторського права і суміжних прав у федеративній республіці німеччина та Україні. *Теорія і практика інтелектуальної власності*, 2023 (6), 57-66.
- Попова Л. М. Інтелектуальна власність : підручник / Л. М. Попова, А. В. Хромов, І. В. Шуба ; Харків. нац. ун-т буд-ва та архітектури. Харків : Федорко М. Ю., 2021. 262 с.