POSTGRADUATE DIPLOMA/MASTERS IN

UK, EU & US Copyright Law
2016-2017
by Distance Learning

Achieve a degree from the law school rated top in the UK for world-leading research in the official Research Excellence Framework

Now in its 21st successful year, this programme achieved 100% satisfaction rate from students in the 2015 Postgraduate Experience Taught Survey

Apply Now
Start date: 3rd October 2016
www.informadl.com/copyright
+44 (0) 20 7551 9087
kings@informa.com
Dear Applicant,

The Centre of European Law at King's College London is pleased to announce details of its 2016-2017 Distance Learning Programme leading to a Postgraduate Diploma/Masters in UK, EU & US Copyright Law.

The programme provides tuition from one of Europe’s leading centres in European Law and is studied on a distance learning basis, thereby avoiding crucial time spent away from your place of work. Completing this rigorous programme will give you a competitive advantage in a difficult job market.

The programme aims to provide you with an in-depth and up-to-date knowledge of the general principles of copyright law, mainly focusing on the law in the United Kingdom, the principles of United States copyright law and the major ‘copyright’ Directives of the European Union. Benefit from a highly relevant programme that will:

- Introduce the main international copyright conventions in the field;
- Deal with rights in literary, dramatic, musical and artistic works, films, sound recordings, broadcasts, cable programmes, computer programs and databases, performers’ rights and publishers’ rights;
- Cover both theoretical aspects and questions which arise in practice, in particular concerning infringement and available remedies;
- Include a unit devoted to the French and German laws on author’s rights and related rights;
- Examine thoroughly United States Copyright Law in two units;
- Conclude with the main challenges in the field of copyright, in particular those arising from international communication through satellite and the internet, and from digital technology generally.

The programme is spread over 8 months starting on 3rd October 2016 and ending with an examination at King’s College London in May 2017. The units will be dispatched at fortnightly intervals. These will take you systematically through the whole subject. Units will consist of text, suggestions for further reading, assignments, questions and model answers: annexes will contain reference materials.

There will be three optional weekend seminars held in London in December 2016, February 2017 and April 2017 which will provide an opportunity for revision of the programme, for discussion, preparation for the examination and for you to meet fellow students and your programme tutors.

In 2015 this Diploma/MA received on overall satisfaction rate of 100% (Russell Group average 85%) from the students in the PTES, Postgraduate Taught Experience Survey. The Dickson Poon School of Law, King’s College London was also rated top in the UK for world-leading research in the Research Excellence Framework 2014.

I hope you will join the 2016-2017 programme and look forward to receiving your application soon.

Yours sincerely,

Professor Tanya Aplin
Programme Director

Who will benefit from studying this programme?

This programme is attended by Lawyers in Private Practice, In-House Legal Advisers, Senior Licensing Officers, Business Affairs Executives, Contracts Managers, Rights Executives, Trade Mark Specialists. Countries represented include: Australia, Belgium, China, France, Greece, Hong Kong, Italy, Ireland, Japan, The Netherlands, Russia and the UK.

Some of the organisations who have already benefitted from the programme:

S J Berwin * Universal International Music * Business Software Alliance * Victoria & Albert Museum * ITV * Imation Europe * Music Publishers Association *
OVC Media * British Film Institute * PACT * Turner Broadcasting * Shed Productions * Sheridans * Reuters * Random House Group GMBH * Richards Butler * IFPI *
Universal Pictures * CCEA * Design & Artists Copyright Society * EMAP * The Simkins Partnership

Don’t just take our word for it, hear what past students have to say:

“A well thought out and challenging course taught by a good range of academics and practitioners”
R. McInnes, BBC Scotland

“Very interesting and comprehensive”

“The course provided a comprehensive overview of the various copyright systems and tools to analyse and understand copyright issues in the workplace”
A. Laine-Forrest, Dorling Kindersley

“An excellent outlook of copyright law on an international basis and the course materials are a quick, effective reference material in examining clients’ challenges”
O. Agaba, Jackson ETTI & EDU

“Covers a broad range of material in a highly relevant and accessible way”
P. Hughes, University of Essex, UK
UNITED STATES COPYRIGHT LAW

Unit 7
General Overview
Introductory – historical background: constitutional provisions – The 1976 Copyright Act: its content and operation – Federal and State Laws: their interaction – U.S. membership of Berne Convention, TRIPS and other international instruments

Basis of Protection
The nature of copyright under the 1976 Act

Subject Matter of Protection
Idea/-expression dichotomy – literary, dramatic, musical and artistic works – audiovisual works – sound recordings – performances – derivative works

Protection Criteria and Formalities
Fixation – originality – nationality/place of publication – Formalities: registration, notice and deposit

Economic Rights
Copying, public performance etc – parallel imports

Moral Rights
Protection under the 1976 Act (artistic works) – other protection

Dr Makeen Makeen
Senior Lecturer in Commercial Law, SOAS, University of London

William McGrath
Attorney, Davis McGrath LLC and John Marshall Law School, Chicago

Unit 8
Limitations and Exceptions
Fair use provisions – exhaustion of rights: first sale doctrine – compulsory licences

Term of Protection
General provisions: restoration of rights

Exercising of Rights
Assignment and licensing

Infringement
Causal connection, access, similarity etc – defenses – parodies – computer programs – internet issues

Remedies and Penalties
Additional Legislative Provisions and Current Issues:
Protection of database contents: Internet service providers liability U.S. and EU copyright law

Dr Makeen Makeen
William McGrath

Module Three

FRENCH AND GERMAN LAWS

Unit 9
General Outline of French and German Laws on Author’s Rights and Related Rights

The civil law approach to copyright – analysis of the main features of the author’s right and related rights provisions of the French Intellectual Property Code, 1992, and of the German Author’s Right Law, 1965 – main differences between the common law and civil law approaches to copyright

Brigitte Lindner
Rechtsanwältin, Registered European Lawyer (Bar Council) Serie Court, London

Pascal Kamina
Professor of Law, University of Franche-Comté and Member of the Paris Bar

LAW OF THE EUROPEAN UNION

Unit 10
Introduction
Nature of the impact of EU law on copyright

Principles of Free Movement of Goods and Services and Competition Law
Article 34 and 36 TFEU – parallel imports and exhaustion of rights – Article 101 and 102 TFEU – licences and collecting societies – abuse of a dominant position in the context of refusals to license

Harmonisation Programme
Reasons for harmonising copyright – challenge in reconciling common law and civil law approaches

Satellite Broadcasting and Cable Retransmission Directive
Emission theory and communication theory contrasted – their resolution at an EU level – the additional problems of cable retransmission

Trevor Cook
WilmersHale
New York

Unit 11
Rental / Lending and Related Rights Directive
Reasons for the measure – rental and lending contrasted – related rights covered by the Directive

Term Directive and its Revision
Disparities in term and their consequences – the unintended consequence of harmonisation

Copyright in the Information Society Directive and Relationship to the WIPO Treaties and to the Other Copyright Directives – originality – communication to the public – exceptions and reservations

Resale Right Directive
Orphan Works Directive

Trevor Cook

Unit 12
Computer Program Directive

Database Directive
Legal protection of databases – copyright in databases – the sui generis right in databases – creativity and investment distinguished – the nature of the investment protected by the sui generis right – Commission evaluation report

Trevor Cook

Current Issues and International Harmonisation

Unit 13
Current issues in national, international and regional copyright and related rights law, including challenges raised by digital technology and the Internet to traditional concepts, and to the definition, application, exercise and enforcement of rights

International harmonisation, the US and European approaches, and the roles of WIPO and the World Trade Organisation

Professor Tanya Aplin

Visit: www.informadl.com/copyright
Questions you may have about this programme

**How can studying by distance learning benefit your career?**

Increasingly we all face more pressure in our business lives. Finding the time to attend courses of any kind can be very difficult and well meant plans are often put aside indefinitely.

Distance learning is the solution to your education needs. You can enjoy the full benefits of studying, whilst still in employment, using this freedom and flexibility to your advantage. You can set the pace at which you learn and you can decide where, when and how long you want to study. One of the most beneficial factors of distance learning study is that as the programme progresses, you can apply the knowledge, skills and expertise gained to your work immediately.

**How is the programme structured?**

The distance learning Postgraduate Diploma in UK, EU & US Copyright Law consists of three modules containing thirteen units. It will commence on 3rd October 2016 and will extend over eight months leading to an examination in May 2017. The first unit will be sent out on 3rd October 2016 and subsequent units will then be issued every two weeks (with the exception of Units 2, 3 and 4 – see below) until April 2017 with a four-week break over Christmas. Questions will be set at the end of each unit and model answers to these will be sent with the unit that follows. In addition three compulsory assignments will be set during the programme which will count towards the final mark.

**What format do the units take?**

The modules come in the form of hard copy print and as PDF documents via the programme website. Materials are bound together into single units with the exception of units 2, 3 and 4 (see below). The units are designed to be largely self-contained but recommended and further reading will be suggested. As appropriate, units will contain questions and model answers to test your knowledge as you progress. As part of the programme materials, you will receive a copy of the textbook: T Aplin and J Davis, Intellectual Property Law 2nd ed (OUP, 2013). Units 2, 3 and 4 will involve studying text from within the book with additional notes that will be sent to you with the textbook at the start of unit 2.

**How long will I spend studying each unit?**

The length of time needed to study a unit will vary with your experience and the complexity of the unit being studied. It is anticipated that each unit will require a student to spend approximately twenty hours studying, depending on the student’s experience, plus further study time for questions and reading and completion of the assignments. This programme is designed and delivered in a format that requires the student to study independently. Although academic staff will be available via the programme website for student queries, they do not normally tutor on a one-to-one basis. Students who enter this programme need to be aware of the commitment required to study this challenging and rewarding programme.

**How will I receive the materials?**

Materials will be sent by post (air courier overseas). The materials are quite bulky and it is important to provide a mailing address where your materials can be safely delivered (please note that this cannot be a PO Box address). The programme units will also be available as PDF documents on the programme website.

**Are there any tutorial seminars?**

All students will be eligible to attend three optional weekend seminars. The first will be held on 3rd and 4th December 2016, the second on 11th and 12th February 2017 and the third on 1st and 2nd April 2017. The weekend seminars will be held at King’s College London. The seminars are not compulsory but are very beneficial and provide an excellent opportunity to meet fellow students, the programme director and programme authors. The weekend seminars will be audio and video recorded in full and will be accessible to students via the programme website after the event, allowing all students to benefit from the seminars.

**Compulsory assignments**

Three compulsory assignments (2000 words each) will be set during the programme and will contribute 45% towards the final overall mark for the Postgraduate Diploma.

**Where and when is the examination?**

The examination will take place in May 2017 in London (date to be confirmed). It will be a three hour written examination contributing 55% to the final mark. The written examination will consist of three parts (one per module). The examination is handwritten limited open book. You are allowed to take an unannotated (i.e. no writing of any sort is permitted but highlighting and underlining of text is permitted) copy of Blackstones; Intellectual Property Statutes (latest edition) into the examination.

**Masters programme**

Students can, if they wish, apply to enrol in the Masters Degree in UK, EU & US Copyright Law provided they have successfully completed the Postgraduate Diploma part of the programme. Candidates who have been awarded the Postgraduate Diploma in UK, EU and US Copyright Law in the years 2014, 2015 or 2016 may apply to study for the Masters degree. Students will obtain an MA if they achieve at least 50% in a 12,000 to 15,000 word dissertation. The dissertation will be due for submission by a specified date which will be no later than 12 months following commencement of the MA. The MA Programme is also delivered as a part-time distance learning programme.
Admission Requirements

Qualifications
Applicants for the Postgraduate Diploma/Masters in UK, EU and US Copyright Law must hold:

• A degree in law of a good second class standard or the equivalent thereof or
• A degree in a related discipline or be
• Qualified as a barrister or a solicitor

Applications may also be accepted from a candidate who has achieved a comparative academic level through his or her past studies and where previous study, work or experience has made the applicant a suitable candidate for admission. It is not possible to study this programme whilst you are registered for a different programme at any other institution.

English: applicants for whom English is not their mother tongue must provide evidence of having attained a level of English, both written and spoken, adequate to meet the demands of the programme. English IELTS 7.0 overall with a minimum of 6.5 in all four skills or Cambridge Proficiency, rating B or Pearson Test of Academic English, overall 69 and a minimum of 62 in each individual skill. Please go to the following link for full details on English language requirements http://www.kcl.ac.uk/study/pg/admissions/requirements/language.aspx

What does the programme cost?
The Postgraduate Diploma fee including programme materials, access to the programme website and on-line facilities at King’s College London, attendance at seminars, marking of compulsory coursework and the examination is £5750 (VAT Exempt).

Cancellation
Cancellations must be received in writing on or before 30th September 2016. If your cancellation is received on or before this date, you will receive a full refund less an administrative charge of £200. No refunds will be made in respect of cancellations received after 30th September 2016 and the full fee will be payable.

How do I enrol?
Students interested in joining the programme should complete the application form for admission as a postgraduate student attached to this brochure and send it to Richard Morgan, Head of Logistics at Informa Professional Academy. Alternatively, apply online at: www.informadl.com/copyright.

Application Checklist

An authenticated copy of your Degree or Degree Transcript or your Practising Certificate. Copies must be signed and dated by someone senior to you to show that it is a true copy of the original document. HARD COPY ESSENTIAL.

An authenticated copy of your passport (or driving licence with a photo) showing your name and photograph. HARD COPY ESSENTIAL.

A written reference on company/university letterhead from a senior partner, department director, head of chambers or from an academic institution or equivalent, who will vouch for your ability, interest and academic suitability to study a programme of this nature.

A personal statement stating why you wish to follow this programme and how it relates to your previous experience.

Two passport sized recent photos of yourself with your name written on the reverse. Preferably, these can be sent as jpeg files to richard.morgan@informa.com. Please ensure that the jpeg is of the quality and size of a passport photo i.e. a headshot with a plain background. Please keep this file safe as you will also be asked to upload your jpeg when you enrol online at King’s College London.

If applicable, a copy of any English proficiency test forms that you have undertaken in the last three years giving your score.

Visit: www.informadl.com/copyright
Postgraduate Diploma/Masters in European Union Law
Starting October 2016
Programme Director: Professor Alexander Türk, King's College London

The Syllabus will cover:
- Introduction to the treaties and institutions
- Free movement of goods
- Citizenship and free movement of people
- Freedom of establishment and services
- Free movement of capital and economic and monetary union
- Anti-discrimination law
- Competition law
- Environmental law and policy
- Framework agreements
- State aid and competition
- Particularities of special regimes
- Remedies and challenges for breach of procurement obligations
- Procurement law in the wider world
- External relations
- Judicial review of EU law
- Enforcement of EU law – protection of individual’s rights in national courts – Article 267 TFEU (formerly Article 234 EC) and Article 258 TFEU (formerly Article 226 EC)

For more programme information call +44 (0) 20 7551 9087
To find out more simply go to www.informadl.com and access all the information you need about the postgraduate distance learning programmes offered below.
### 1 Personal Details

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### 2 Employment Details

(please give details of present and past employer(s) over the last 5 years)

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### 3 Education

(if you have an overseas qualification, please state the full original title of the programme)

#### a) Undergraduate qualification

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#### b) Graduate qualification

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Please quote the above VIP code when applying - THIS IS ESSENTIAL TO PROCESS YOUR APPLICATION

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4 Professional/Other Relevant Qualifications

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5 English Language Proficiency

Are you a native speaker of the English language? □ Yes □ No

If No,

1. If you have been instructed and examined in English (full time), either at school or in higher education, please provide evidence (name of institution, dates, evidence that English is the language of instruction)

2. Or, if you have an IELTS (or equivalent) certificate no older than 3 years, please send a copy of the certificate (see page 5) and state:

   Name of test: Date taken: Overall scores:

In the absence of the required language certificate, it may be possible - in exceptional cases - to accept a language reference from your referee or employer. However, your referee must be a native English speaker and your work must clearly be in an international environment where English is used as a business language on a daily basis. The College is under no obligation to accept references instead of the required English Language certificate.

6 Finance

Will you be paying your own fees for the duration of the programme? □ Yes □ No

Will your employer be paying the fees? □ Yes □ No

Please invoice as follows:

☐ Postgraduate Diploma: £5,750 (VAT Exempt)

Please supply name and address of where invoice should be sent

Contact telephone number between 8.30am and 6.00pm Mon-Fri is: Tel:

7 Referee (please enclose a written reference with your application)

Name, company name and address

Position

Relation to you

Telephone number

8 Personal Statement

Please provide a short personal statement to support your application stating why you wish to follow this programme and how it relates to your previous experience. This should be submitted on a separate sheet.

9 Declaration

Please enter your VIP code (if you have one): ____________________________

How did you hear about the programme? (Please be as specific as possible)

THE PROCESSING OF YOUR APPLICATION WILL BE DELAYED IF YOU DO NOT INCLUDE THE ABOVE INFORMATION

I confirm that the statements made by me on this form are correct. I understand that if any of the above statements prove to be incorrect the College reserves the right to withdraw any offer made or cancel any subsequent registration with the College. By completing and submitting this registration form, I confirm that I have read and understood the Informa Professional Academy Student Terms and Conditions and I agree to be bound by them. The full programme terms and conditions can be found on the FAQ section of the programme website: www.informadl.com/copyright

Signature ____________________________ Date ____________________________