TEACHING OF INDUSTRIAL PROPERTY IN SPAIN

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Currently, there exist no courses in the field of law devoted specifically to the teaching of industrial property. This situation does not reflect any discrimination against this branch of legal science but results from the lack of specialized courses in the curricula of Spanish law faculties.

Generally, at degree level, students receive industrial property teaching under various subjects, such as civil law (tangible rights) or administrative law. Such concepts cannot do without more or less ample reference to the existence of industrial property. On the other hand, in the case of commercial law (first course), given in the fourth of the five courses comprising legal studies, the students are given a somewhat broader knowledge, although certainly an elementary one, of the major institutions of industrial property. Normally, between two and four lecturers are devoted to this subject matter, in which patent and utility models, trademarks and trade names, unfair competition and restrictive practices are dealt with. These lectures are systematically included either as part of the study of commercial enterprises or under the heading of competition law or of the guiding principles of economic trade. Naturally, the depth and breadth of the studies in these subjects depends on the importance alloted to them by the professor responsible for the course. It can be said, as a general rule, that all law graduates possess, through the study of commercial law, some basic knowledge of the major institutions of industrial property.

Commerical law is often a subject in the degree courses in economics and business management. A single course is devoted to the subject in the second of the five courses of which the curriculum is composed. In this subject, the students are given a few very elementary notions of the principal institutions of industrial property.

In order to find university courses specializing in industrial property it is normally necessary to attend specific doctorate courses. These courses vary depending on the law faculty and also change each year. Nevertheless, in those faculties where there exists a department specializing in industrial property, specific doctorate courses are normally given on the subjects in that speciality. Thus, for example, during the term which has just finished the Universidad Nacional de Educacion a Distancia, under the direction of the author of this report, held a short doctorate course under the title of "An Introduction to Patent Law."

This specialization by university departments in industrial property is also demonstrated by the holding of seminars and colloquia open to post-graduate participation.

