PRESENT STATUS OF TEACHING AND RESEARCH ON INTELLECTUAL PROPERTY LAW IN SINGAPORE

by
Kim T.K. Seah
Senior Lecturer
Vice-Dean, Faculty of Law
National University of Singapore
Republic of Singapore

The following is a short report on the current state of teaching and research on Intellectual Property Law in Singapore. For convenience, the report is divided into the following headings:

(i) the teaching of intellectual property at the Law Faculty of the National University of Singapore;

(ii) the dissemination of information on Intellectual Property Law to the public at large through public seminars etc.;

(iii) the state of domestic legal writing on intellectual property; and

(iv) the availability of resource materials on Intellectual Property Law in Singapore.

THE TEACHING OF INTELLECTUAL PROPERTY LAW AT THE LAW FACULTY OF THE NATIONAL UNIVERSITY OF SINGAPORE

Intellectual Property Law was offered for the first time in Singapore in academic year 1985-86. Professor Gerald Dworkin, now at Queen Mary College, London was responsible for the setting-up of the undergraduate programme. The programme was divided up into two consecutive three-unit courses (one unit = four teaching weeks), each course occupying one semester. The first course was entitled Intellectual Property I, and was devoted to introducing students to the basic principles of the law. All of the main branches were covered, including: The Law of Confidence; The Law of Copyright, The Law of Patents; The Law of Trade Marks and Unfair Competition, as well as topics relating to remedies and procedure. The second course was entitled Intellectual Property II and was devoted to an application of the basic principles to special areas within the general law of intellectual property. For example, the following topics (amongst others) were covered: Industrial Designs; Reprography and the Law; Computers and the Law (especially patents and copyright); Biotechnology and the Law, including issues relating to the patenting of second medical uses of known drugs; Employees Rights; Moral Rights; Licensing and the general challenge of information technologies to the law of copyright. The two courses were independent in that students were not required to do Intellectual Property II. However, no student could elect to read Intellectual Property II without having passed Intellectual Property I. A total of 57 students read Intellectual Property I and 44 went on to read Intellectual Property II.

In academic year 1986-87, the two three-unit courses were merged into one six-unit course which occupied the full academic year. A total of 73 students were enrolled. In addition a new postgraduate Diploma in Business Law programme commenced that year. Students had to choose three courses out of a

total of six courses. One of the courses offered was Intellectual Property. A total of 16 diploma students were enrolled on the course. The diploma students were by and large practitioners. The course offered was basically the same as the undergraduate programme. The course was however separately taught in the evenings and expectations in standards and participation were generally higher.

In 1987-88, a total of 66 students have been enrolled in the undergraduate course. A further 10 have been enrolled in the diploma course. In addition a new LL.M by coursework programme has been started. Students must read four courses, Intellectual Property being one of the courses avialable for choice. A total of 12 LL.M students have elected for Intellectual Property. The LL.M course follows the same basic structure as the diploma course. However, with effect from 1987-88, the postgraduate Intellectual Property courses contain more detailed treatment on special areas within Intellectual Property than the undergraduate programme.

Finally, it has always been possible to secure an LL.M by dissertation. In 1987, a candidate secured an LL.M by a dissertation on a topic on Copyright Law.

So far as teaching methods are concerned, a mixture of approaches are taken. At the undergraduate level, the basic approach is the lecture/tutorial method. Case-classes are held on critical decisions. In addition, students are given writing asssignments. At the diploma/LL.M level, a mixture of lectures and seminars are used as the vehicle for instruction. The LL.M candidate may also be required to do a research paper.

THE DISSEMINATION OF INFORMATION ON INTELLECTUAL PROPERTY LAW THROUGH PUBLIC SEMINARS ETC.

With the passing of Singapore's new copyright legislation, the general level of public awareness and interest in intellectual property law has significantly increased. This is especially so in the area of copyright. Numerous seminars and conferences in the copyright area have been organized in the last two years or so. For example, the Consumers Association of Singapore (CASE) recently organized a public seminar on copyright and consumers. It also published a pamphlet explaining in simple terms the broad effect of the Copyright Act 1987. Various other conferences have also been organized by various copyright interest groups including, computer societies and professional conference organizers. In the university and other tertiary educational institutions, seminars have been conducted on the impact of the Copyright Act on Educational Institutions. Within the Faculty of Law of the University, staff seminars on copyright have also been held. Apart from copyright, conferences have also taken place on issues relating to bio-technology, trademarks, passing off and related issues.

In the next few years, it is probable that there will be further conferences and seminars held in Singapore, especially in the field of bio-technology and information technology.

THE STATE OF DOMESTIC LEGAL WRITING ETC. AND INTELLECTUAL PROPERTY LAW

In recent years the number of locally written articles on intellectual property law has been on the increase. These include both articles written by practitioners as well as articles prepared by academics at the University.

Research into various aspects of intellectual property is also generally on the increase. This includes research into the impact of information technology on intellectual property law and privacy, bio-technology, licensing of intellectual property rights and so on. Indeed, licensing issues relating to both contractual licenses, compulsory licenses and abuse of monopoly power are taught not just in the various Intellectual Property courses but also in courses on International Business Transactions taught at the Faculty of Law.

THE AVAILABILITY OF RESOURCE MATERIALS

The main collection of resource materials on Intellectual Property Law is held by the Law Library of the University. All the major works, reports etc. are held and the collection is continually being updated. For easy reference, a list of the main works held is available.

In addition other materials are available in the main University Library, and elsewhere.

CONCLUSION

The last five years or so have seen a surge of general interest in Intellectual Property Law in Singapore. This has been reflected in the setting up of courses on Intellectual Property Law in the university and in the increase in number and range of seminars and conferences. Looking towards the future there is, of course, plenty of scope for further progress. New courses could be developed on special topics such as Computer Law, Biotechnology, Privacy, and Medical-Legal Law. In some of these areas, joint seminars with experts in the various technologies can also be arranged so as to encourage multi-disciplinary research and greater ties between industry and the University.

- . -