

# TRADE MARKS AND DESIGNS

## I. DISTINCTIVE SIGNS:

### TRADE MARKS

- Spanish, European and International framework
- Concept. Economic function and categories of trade marks.
- Absolute grounds for trade marks refusal
- Non-conventional trade marks.
- Relative grounds for trade marks refusal
- Trade marks with reputation.
- Trade marks granting procedures: national (OEPM), European Union (EUIPO) and the International system (WIPO)
- Rights conferred by a trade mark.
- Limits to trademark rights. In particular, exhaustion of trademark rights
- Trade mark enforcement procedures: European and international proceedings.
- Trade marks Infringement in the digital market
- The trade marks in the metaverse
- Trade marks protection in the activity of influencers
- Trade mark ownership: co-ownership, transfer and licensing
- Cancellations proceedings: revocation and invalidity
- Trade marks in the pharmaceutical sector
- Distributor's trade marks.
- Other trade mark law systems, a comparative approach: USA, Germany, UK.
- Mediation and other alternative dispute resolution procedures in intellectual property cases

### OTHER DISTINCTIVE SIGNS

- Trade names
- Domain names
- Shop sign

## II. AESTHETIC CREATIONS: DESIGNS

- Concept, categories and differences with similar IPR
- Protection requirements;
- Grounds for refusal;
- Design granting procedure (Spain, European Union and International System);
- Content of design right (registered and unregistered);
- Design Law enforcement measures: actions in defense of design for its protection against infringements at national, European and international level;
- Design Infringement in the digital market;
- Design and 3D printing;
- Design ownership: co-ownership, transfer and licensing
- Revocation and invalidity;
- Strategies to protect shapes throughout different Intellectual Property rights.



# COPYRIGHT AND COMPETITION LAW

## COPYRIGHT AND RELATED RIGHTS

- National, European and international framework;
- Protection requirements;
- Anonymous works
- Public domain;
- Personal and economic rights;
- Moral rights. Artificial Intelligence and IP;
- Exploitation rights. Limits: Focus on private copying;
- Duration and protection. In particular: Protection of copyright in the digital framework;
- Rights management. Regime of copyright collective management organisations
- Copyright ownership: transfer, licensing, mortgage, seizure.
- Creative commons licenses
- Copyright enforcement measures: Actions in defense of copyright for its protection against infringements in both European and international litigation.
- Copyright infringements in the digital market. Digital Piracy
- Artist, interpreters and performers rights
- Copyright Related rights

## LEGAL REGIME OF DIGITAL PLATFORMS

- The legal framework of digital platforms (intermediaries and service providers)
- Legal framework of digital markets
- Decentralized autonomous organizations DAOs
- Metaverse. The NFTs. And Digital Platforms
- Data protection in digital environments. The Data Act
- Cybersecurity in *e-commerce*

## COMPETITION LAW

- Competition Law and intellectual property: collusive practices and abuse of dominant position
- Distribution agreements, competition law and intellectual property rights
- Competition law and new assets: data
- Competition law and digital markets and services. Digital platforms
- Unfair competition Law and intellectual property
  - General definition of unfair competition
  - Unfair competition: cases
  - Trade secrets and unfair competition
  - Unfair competition law and digital markets and services
  - Unfair competition : actions for infringements