

School / Faculty: Federation Business School

Course Title: LEGAL ISSUES FOR DESIGNERS

Course ID: BSDES3192

Credit Points: 15.00

Prerequisite(s): Nil

Co-requisite(s): Nil

Exclusion(s): Nil

ASCED Code: 091103

Grading Scheme: Graded (HD, D, C, etc.)

Program Level:

AQF Level of Program						
	5	6	7	8	9	10
Level						
Introductory	■	■	■	■	■	■
Intermediate	■	■	■	■	■	■
Advanced	■	■	✓	■	■	■

Learning Outcomes:

Knowledge:

- K1.** Appreciate the logic of intellectual property law in providing incentives to appropriate value from one’s own work, while also constraining the freedom to take the work of others;
- K2.** Identify the broad contours of those intellectual property laws studied and the relationship between them - in particular the complex relationship between copyright and design law
- K3.** Distinguish between the various interests protected by the intellectual property laws studied;
- K4.** Recognise what intellectual property issues might arise in different practical settings

Skills:

- S1.** Show how different intellectual property laws can be deployed across a range of different design fields and in respect of a variety of different interests
- S2.** Ability to use the law to the advantage of a design-based firm, including use of the law to manage legal risks
- S3.** Discern when a legal issue relating to design requires referral to a lawyer or other specialist
- S4.** Communication skill relating to intellectual property and design, which evidences clear thinking and analysis.

Application of knowledge and skills:

Course Outline (Higher Education)

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- A1.** Explain the role of intellectual property law in different design-based settings;
- A2.** Apply critical thinking in scenario analysis
- A3.** Assess legal risks in different design-based business settings
- A4.** Problem-solve in settings which implicate the legal rights and obligations of designers
- A5.** Integrate social and economic perspectives into business practice by understanding the legal rights and obligations that exist;

Course Content:

This course provides an opportunity to consider the various ways designers can obtain legal rights in their aesthetic design work and conversely how such designers might risk infringing against the legal rights in the work of others. Beginning with an overview of the commercial law and regulatory terrain that a design-dependant firm operates in, the course explores four types of intellectual property likely to be relevant to such a firm: (i) confidential information; (ii) copyright; (iii) design registration; (iv) trade marks.

Values and Graduate Attributes:

Values:

- V1.** Appreciate how intellectual property law relating to aesthetic design is a product of complex trade-offs and considerations;
- V2.** Appreciate the empowerment knowledge of law gives to designers and design-based firms
- V3.** Assess how legal rights and obligations impact upon rational business decision making by designers;
- V4.** Consider the trade-offs and balances reflected in intellectual property law as it applies to design.
- V5.** Appreciate an individual's rights in one's own design and the possible consequences of an individual's conduct on and the rights of others
- V6.** Further develop personal ethical standards

Graduate Attributes:

FedUni graduate attributes statement. To have graduates with knowledge, skills and competence that enable them to stand out as critical, creative and enquiring learners who are capable, flexible and work ready, and responsible, ethical and engaged citizens.

Attribute	Brief Description	Focus
Knowledge, skills and competence	Students will obtain the ability to consider how core legal concepts apply to future design settings that may arise in their professional lives	Medium
Critical, creative and enquiring learners	Students will develop the capability to distinguish between straightforward and complex legal issues that relate to the design industry	Medium
Capable, flexible and work ready	Students will be attuned to wider influences (such as economic and moral) that explain the contours of the law as it relates to design	High
Responsible, ethical and engaged citizens	Students will engage with the borderline between ethical derivation from existing design trends and impermissible takings from an existing design	High

Course Outline (Higher Education)

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Learning Task and Assessment:

Learning Outcomes Assessed	Assessment Task	Assessment Type	Weighting
K3, K4 S2, S3 A2, A3, A4, A5	A discussion of issues that arise in a design-based scenario involving the protection of confidential information in a design idea, proposal or plan	Assignment/ Essay/ Presentation	20-40%
K1, K4 S1 A1, A2, A3, A5	Reflection on a real world issue, actual dispute or litigation involving copyright issues that are relevant to design	Assignment/ Essay/ Report	20-40%
K2, K3 S1, S4 A1	A series of questions (either based around a design-based scenario or free-standing) which may require both reflective and practical responses	Invigilated exam	40-60%

Adopted Reference Style:

APA