

# EDULEARN<sub>21</sub>

**13TH INTERNATIONAL CONFERENCE  
ON EDUCATION AND NEW LEARNING  
TECHNOLOGIES**



**CONFERENCE  
PROCEEDINGS**



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# GOOD PRACTICES IN INTELLECTUAL PROPERTY DISTANCE EDUCATION: SHORT INTERNATIONAL OVERVIEW

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## Abstract

**Introduction:** Intellectual Property (IP) training has become more widespread and influential in the last two decades. Although IP training programs have become more widespread and important, so far, they have not attracted much scientific attention from researchers in this field who are interested in global policy and practice in the studied area. Despite this gap, the activities of some organizations working in this field, especially the World Intellectual Property Organization (WIPO), the European Union Intellectual Property Office (EUIPO) and the European Patent Office (EPO) attracted considerable criticism, justified or not. The actual or perceived deviations and shortcomings in IP training programs, along with many other things, have contributed to the incentives for reform of IP training for non-specialist lawyers. This paper will focus on distance learning courses, which are gaining popularity, given the new reality in which modern society finds itself.

**Presentation:** Distance learning is essential, especially nowadays, mostly because of its flexibility. Due to the global pandemic distance learning becomes top choice for career development and professional growth, but it is also prior in university education. Considering the fact that IP is sustainable part of the society, it should also be examined and taken into account. These IP rights are vital for the business, as they cannot only be used to protect someone's own inventions, but also provide valuable business instruments that can be commercially exploited.

**The goal:** The paper aims to make an international overview of the good practices of distance learning courses proposed by WIPO, EUIPO and EPO. The analytical overview is based on different criteria, which the authors of this paper are based including level of knowledge (general or advanced course), tutored/not tutored, cost, open/restricted access. The paper gives general information about the courses and their suitability – the range covers all issues related to understanding IP and its legal aspects, but also offers education in related scientific fields. The courses are designed for different audiences: content creators, business managers, IP professionals, policy makers, students and teachers of IP and the civil society. The used educational methodologies combine different methods of the teaching process – online face-to-face or self-tutored, stimulating learning at own pace.

**The methodology** for achieving the main objective of the study and solving the set research tasks include the following specific methods: content analysis, comparative analysis, and synthesis of the obtained information, relevant to the topic of the paper.

**Conclusion:** As a result, it has been found that the distance learning helps build human capacity in IP, which is essential to innovation and increases intellectual property literacy (IPL), but it also stimulates lifelong learning – the essence of information literacy (IL).

**Keywords:** intellectual property, distance learning, intellectual property literacy, information literacy.

## 1 INTRODUCTION

In the last year, the world has changed a lot, and we are already learning and getting used to the new normal that we must live with. This year we have learned to value distance learning even more, especially so that we can protect ourselves and others around us, but at the same time continue to gain new knowledge and to stimulate lifelong learning. Distance learning is an organization of the learning process whereby the learner and the tutor are separated by location, but not necessarily by time, and the distance created is compensated by technological means. Distance learning opens doorways to a wealth of information, knowledge, and educational resources, increasing opportunities for learning, thus increasing knowledge in the field of IP becomes a regularity, just with the transition to distance learning. Basic IP knowledge are of relevance to the fields of information and social sciences, as currently they are the most dynamically developing [1], [11], [12]. The concept that intellectual property is all around us and is invariably present in our daily lives is becoming increasingly recognizable in the information society. Every member of the information society needs to be information literate enough to understand

the ethics of using said information, including the breach of subjective IP rights such as plagiarism – the use of literature, art, science, patented inventions, designations (markings, geographical indications, domain names, businesses) without the authorization of their creator [2].

## 2 METHODOLOGY

The paper aims to make an international overview of the good practices of distance learning courses proposed by WIPO, EUIPO and EPO – one of the leading organizations on international and European level, promoting the essence of IP and the ways of its protection. The target of these IP trainings includes students and teaching staff, government representatives, business managers, all content creators, etc. The goal of these trainings is to raise IP awareness; to promote IP culture and mostly to spread IP teaching beyond university and school education, but to encourage everyone to build and upgrade his IP knowledge. The methodology for achieving the objective of the study and solving the set research tasks include the following specific methods: method of study and content analysis, comparative analysis; synthesis of the obtained information.

## 3 RESULTS

The World Intellectual Property Organization, the European Union Intellectual Property Office and the European Patent Office are one of the leading organizations that offer IP distance learning.

### 3.1 World Intellectual Property Organization (WIPO)

The WIPO Academy offers Distance Learning Program since 1999 and the courses cover all aspects of IP in up to seven languages (English, French, Spanish, Portuguese, Chinese, Russian, Arabic, Korean, Japanese, German).

#### 3.1.1 General courses

The methodology and content of the General courses are structured as self-study [3].

**IP PANORAMA** – designed to help small and medium-sized enterprises (SMEs) utilize and manage intellectual property (IP) in their business strategy. The course consists of 13 modules, incl.: Importance of IP for SMEs; Trademark and Industrial Designs; Invention and Patent; Trade Secrets; Copyright and Related Rights; Patent Information; Technology Licensing in a Strategic Partnership; IP in the Digital Economy; IP and the International Trade; IP Audit; Valuation of IP Assets; Trademark Licensing; IP issues in Franchising.

**Primer on Intellectual Property** – covers the fundamental aspects of intellectual property (IP): copyright and related rights, trademarks, patents, geographical indications, and industrial designs. The course consists of 12 modules, incl.: Introduction; Overview of IP; Copyright; Related Rights; Trademarks; Geographical Indications; Industrial Designs; Patents; New Plant Varieties; Unfair Competition; Enforcement of IP Rights; Emerging Issues in IP – IP and Development.

**Introduction to the Patent Cooperation Treaty** – gives a general overview of the PCT. The course consists of 14 modules, incl.: What is the PCT? Why Use the PCT? Preparing the PCT Application; Filing the PCT Application; PCT Electronic Services; Patent Agents and Common Representatives; International Search Report and Written Opinion of the ISA; International Publication; International Preliminary Examination; Entry into the National Phase; Special International Phase Procedures; Procedures for Inventions in the Field of Biotechnology; Access by Third Parties to the File of a PCT Application; PCT Outlook.

**General course on Intellectual Property (version 2)** – gives an overview of the fundamentals of IP law. The course consists of 13 modules, incl.: Introduction to IP; Copyright; Related Rights; Trademarks; Geographical Indications; Industrial Design; Patents; Unfair Competition; WIPO Treaties; Protection of New Varieties of Plants; Introduction to Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources; IP and Development; Summary and Discussion on Intellectual Property Rights.

**e-Tutorial on Using Patent Information** – interactive e-tutorial that introduces the key concepts in patent information – patent applications, the basic elements of a patent search, the ways and means of using database systems to find patents and patent information. It has three basic topics: Patents Basics; Patent Search and Retrieval; Patent Analysis.

Table 1. General courses

<i>Name of the course</i>	<i>Duration</i>	<i>Tutored</i>	<i>Certificate</i>	<i>Cost</i>
IP PANORAMA	20 hours	No	No	Free of charge
Primer on Intellectual Property	3 hours	No	No	Free of charge
Introduction to the Patent Cooperation Treaty	4 hours	No	Yes	Free of charge
General course on Intellectual Property (version 2)	55 hours	Yes	Yes	Free of charge
e-Tutorial on Using Patent Information	8 hours	No	Yes	Free of charge

The general course that has the smallest duration is Primer on Intellectual Property (3 hours), and the longest is the General course on Intellectual Property (55 hours) – also the only general course that is tutored. All the general courses are free of charge. Two offer certificates after final exam and three do not [3].

### 3.1.2 Advanced courses

**Copyright and Related Rights (version 2)** – the course consists of 12 modules: The concept of copyright, the historical background and the international framework; The Berne Convention: principles and notions of works; The Berne Convention: content protection – rights and limitations; The Berne Convention: special types of works and situations; The TRIPS Agreement and the WIPO Copyright Treaty; Related rights; Sui generis regimes of protection, sui generis rights and unfair competition; The TRIPS Agreement and enforcement issues; Collective management of rights; Copyright on the Internet; The Marrakesh Treaty; IP and Development - Flexibilities and Public Domain under Copyright and Related Rights.

**Intellectual Property, Traditional Knowledge and Traditional Cultural Expressions** – the course consists of four modules: Overview and Key Concepts; Options for the IP Protection of TK and TCEs; Protecting TK and TCEs with Existing and Adapted IP Rights; Protecting TK and TCEs with a Sui Generis System of Protection.

**Patents** – the course consists of eight modules: The Macro-Economic Impact of the Patent System; The Patent Application Process; The Different Layers of the International Patent System and Regional Patent Protection Mechanisms; Kinds of Intellectual Property Protection Based on Types of Inventions; Legal Issues in the Patenting Process; Enforcement; New Issues, Important Cases and Discussions; IP and Development - Flexibilities and Public Domain under Patents.

**Trademarks, Industrial Designs and Geographical Indications (version 2)** – the course consist of seven modules: The Role of Trademarks, Industrial Designs and Geographical Indications in the Market; Trademarks; Geographical Indications; Industrial Designs; Protection Against Unfair Competition; Making Brand and Managing Intellectual Property; IP and Development - Flexibilities and Public Domain under Trademarks.

**Specialized Course on the Madrid System for the International Registration of Marks** – the course covers the following topics: Introduction to the Madrid System; Overview of the accession process; Role of the Office of origin; Role of the Office of a designated Contracting Party; Communication with WIPO and online tools and services; Post registration management.

**Arbitration and Mediation under the WIPO Rules** – the course consist of four modules: The WIPO Arbitration and Mediation Center; Mediation; Arbitration and Expedited Arbitration; Conducting the Arbitration.

**Patent Information Search** – the course consists of eight modules: Introduction - the Value of Patent Information; Patent Searching Activities and the Strategic Use of Patent Information; Techniques for Searching Patent Documents; Patent Information Search Training; Efficient and Effective Searching; Specialized Searches; The Patent Search Report; Towards a Greener Economy.

**Basics of Patent Drafting** – the course consists of four modules: Why You Might Want a Patent? Overview of Patents; Drafting a Patent Application; Notes and Practical Exercises on Drafting Patent Specification.

**Executive Course on Intellectual Property and Genetic Resources in the Life Sciences** – the course consists of five modules: Introduction to Intellectual Property and Genetic Resources in the Life Sciences; Branches of IP and policy relevant to the use of GRs in Life Sciences; Emerging Issues in GRs Law and Policy and Related Technologies; Relevant Legal Instruments and International Policy Processes on IP and GRs in Life Sciences; Practical IP issues on Genetic Resources in the life sciences.

**Intellectual Property Management** – the course consists of nine modules: Intellectual Property Management: Introduction and an Overview; Economic Perspectives on Intellectual Property Management; Innovation and Intellectual Property Protection; Intellectual Property Value and Finance; Intellectual Property and Commercialization; On line Intellectual Property Management; Strategy for Intellectual Property Management; Open Source and Development - Managing IP Flexibilities and Public Domain; Case studies on Intellectual Property Management.

**Collective Management of Copyright and Related Rights for Collective Management Organizations (CMOs)** – the course consists of seven modules: Introduction to Collective Management; Collective Management for Collective Management Organizations – Music Rights; Collective Management for Collective Management Organizations – Related Rights in Music; Collective Management for Collective Management Organizations in the Audiovisual Industries; Collective Management for Collective Management Organizations in the Text and Image based Sector; Collective Management for Collective Management Organizations in Visual Arts and Photography; Collective Management for Collective Management Organizations in Dramatic Works.

**Collective Management of Copyright and Related Rights for Policy Makers** – the course gives the basic knowledge for policy making relying on the three main elements of a well-functioning copyright system, i.e., legislation, enforcement, and management of rights.

**Software Licensing Including Open Source** – the course consists of four modules: IP regimes for software; Software licensing – traditional and open source; Benefits and risks of open-source strategies; Public policy options to support wider access to software.

**Promoting Access to Medical Technologies and Innovation – WHO, WIPO, WTO Executive Course on the intersection between public health, intellectual property and trade** – the course covers the following topics: Policy context for action on innovation and access; Issues on access from a public health perspective; Health systems-related determinants of access; Issues on innovation and public health with a focus on neglected diseases; The role of intellectual property in innovation and access; Trade related issues and access to health-related products.

*Table 2. Advanced courses*

<i>Name of the course</i>	<i>Duration</i>	<i>Tutored</i>	<i>Certificate</i>	<i>Cost</i>
Copyright and Related Rights (version 2)	120 hours	Yes	Yes	Fee list
Intellectual Property, Traditional Knowledge and Traditional Cultural Expressions	70 hours	Yes	Yes	Fee list
Patents	120 hours	Yes	Yes	Fee list
Trademarks, Industrial Designs and Geographical Indications (version 2)	120 hours	Yes	Yes	Fee list
Specialized Course on the Madrid System for the International Registration of Marks	15 hours	Yes	Yes	Free of charge
Arbitration and Mediation under the WIPO Rules	70 hours	Yes	Yes	Fee list
Patent Information Search	120 hours	Yes	Yes	Fee list
Basics of Patent Drafting	120 hours	Yes	Yes	Fee list
Executive Course on Intellectual Property and Genetic Resources in the Life Sciences	15 hours	Yes	Yes	Fee list
Intellectual Property Management	120 hours	Yes	Yes	Fee list
Collective Management of Copyright and Related Rights for Collective Management Organizations (CMOs)	124 hours	Yes	Yes	Fee list
Collective Management of Copyright and Related Rights for Policy Makers	40 hours	Yes	Yes	Fee list
Software Licensing Including Open Source	30 hours	Yes	Yes	Fee list
Promoting Access to Medical Technologies and Innovation – WHO, WIPO, WTO Executive Course on the intersection between public health, intellectual property and trade	10 hours	No	Yes	Free of charge



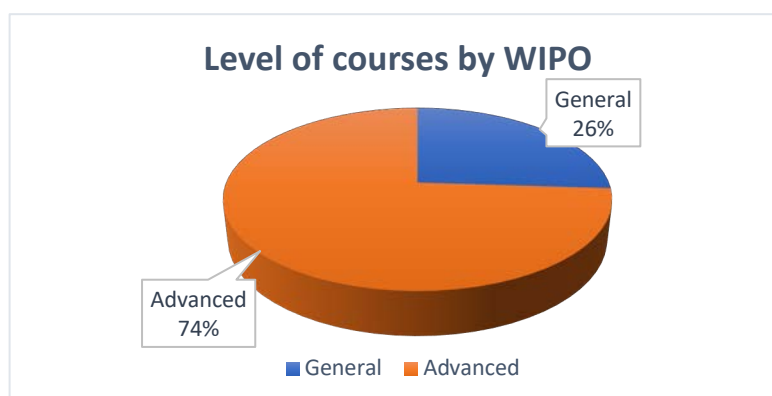
The course with the longest duration is Collective Management of Copyright and Related Rights for Collective Management Organizations (CMOs) and the one with the smallest is Promoting Access to Medical Technologies and Innovation – WHO, WIPO, WTO Executive Course on the intersection between public health, intellectual property, and trade. The only course that is not tutored is the Promoting Access to Medical Technologies and Innovation – WHO, WIPO, WTO Executive Course on the intersection between public health, intellectual property, and trade. All advanced courses offer the participant a certificate after the final exam. Only two of the advanced courses are free of charge (Specialized Course on the Madrid System for the International Registration of Marks & Promoting Access to Medical Technologies and Innovation – WHO, WIPO, WTO Executive Course on the intersection between public health, intellectual property, and trade), the rest require a fee.

The fee list is based on the following criteria, according to country of nationality (the fees are in US dollars) [4]:

*Table 3. Fees for the advanced courses*

	<i>Students and academics</i>	<i>Professionals</i>	<i>Government Officials (incl. IP offices)</i>
Developing countries, least developed countries (LDCs) and countries in transition	40	60	Eligible for scholarship
Industrialized countries	200	320	Separate criteria for professionals

Most of the distance courses, offered by WIPO, are advanced ones, requiring some sort of level of knowledge (Fig. 1).



*Fig. 1 Level of courses by WIPO*

### 3.2 European Union Intellectual Property Office (EUIPO)

The EUIPO Academy Learning Portal is established in 2011 and offers 956 courses and 498 of them are with certificate. The active users of the platform are 24 393 (March 2021) [5]. The offered trainings are in different languages – English, French, German, Bulgarian, Greek, Hungarian, Irish, Latvian, Italian, Polish, Romanian, Slovak, Slovenian, Swedish, etc.

The course catalogue is divided in the following sections: Intellectual Property; Human Resources; Information Technology; Languages; General Management; Other professional knowledge; Corporate competencies; Starting point.

The courses from the Intellectual Property category are divided into:

- General IP knowledge.
- Trademarks – divided into the following categories: General Introduction; Pre-filing searches; Procedure and evidence before the Office; Filing an application; Formalities and classification; Post registration; Examination on absolute grounds; Opposition; Cancellation; Boards of appeal; Court of justice and General Court; Guidelines of the Office; Case Law; New EU TRADEMARKS Regulation – total of 248 trainings.

- Designs – divided into seven sections: General Introduction; Pre-filing searches; Filing an application; Registration requirements; Post registration; Grounds for Invalidity; Case Law – total of 59 trainings.
- Enforcement – divided into five sections: Enforcement tools; Enforcement law and procedures; Online IPR enforcement; Enforcement case law; Enforcement challenges and strategies – total of 71 trainings.
- ETMD (EUIPO Trademark and Design) Education Program – A comprehensive curriculum of approximately 150 hours of tuition; covers all aspects of European Union trademark and Community design law and how the EUIPO applies the law in practice.
- National Practice – multilingual courses on basic level with open access. The courses are: How to protect a trademark (10 min.); Trademark opposition basics (5 min.); Trademark cancellation basics (5 min.); Trademark reform: national practice (80 min.); How to protect a design (10 min.); Design cancellation basics (5 min.) – total of 6 trainings.

Some of the courses of the General IP knowledge category are including:

*Table 4. General IP knowledge courses*

	<i>Duration</i>	<i>Level</i>	<i>Certificate</i>	<i>Access</i>
Collective Rights Management in the European Union	23 min	Basic	No	Open
Crowdfunding and IP	78 min	Basic	Yes	Needs enrolling
Orphan Works Database Tutorial	2 hours	Basic	No	Needs enrolling
Trade Marks and Geographical Indications: Future Perspectives	4,5 hours	Basic	No	Open
Strengthening geographical indications	18,5 hours	Basic	No	Open
Commercial Exploitation of IP Rights: Trade Mark Licensing	30 min	Intermediate	Yes	Needs enrolling
Interface Protection and Social Media-Protection of new mobile applications	1 hour	Intermediate	Yes	Needs enrolling
Interface between trade marks, designs and other IPR (Intermediate level)	1 hour	Intermediate	No	Open
AI & IP at the crossroad	1 hour	Intermediate	No	Open
Video gaming and IP: how to play the game	1,5 hours	Intermediate	Yes	Needs enrolling
Street Art & Intellectual Property Law: how do they interact?	1 hour	Advanced	Yes	Needs enrolling
IP and Sport	1 hour	Advanced	Yes	Needs enrolling
Interacting with Devices in the Digital Era: Protecting IP from the EPO and EUIPO perspective	1,5 hours	Advanced	No	Open
Can a taste be protected by copyright?	73 min	Advanced	Yes	Needs enrolling
Copyright Protection for AI Production? An EU Law Perspective	77 min	Advanced	Yes	Needs enrolling

The category General IP knowledge consists of a total of 88 trainings in different formats – webinar, seminar, tutorial, video etc. The offered courses are divided on four different levels – basic (30 courses), intermediate (27 courses), advanced (24 courses) and with no indicated level in the description (7 courses) (Fig. 2).

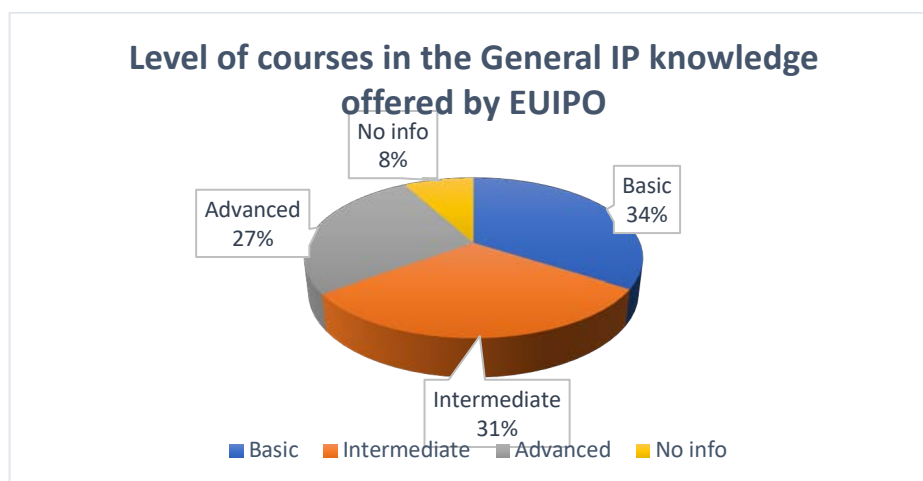


Fig. 2 Level of courses in General IP knowledge category, offered by EUIPO.

There is no information if the offered training is free of charge or requires a fee, but most of them are with open access, i.e., EUIPO does not require fee for its trainings. Only 17 of those trainings offer certificates – 7 (basic level), 4 (intermediate level), 6 (advanced level).

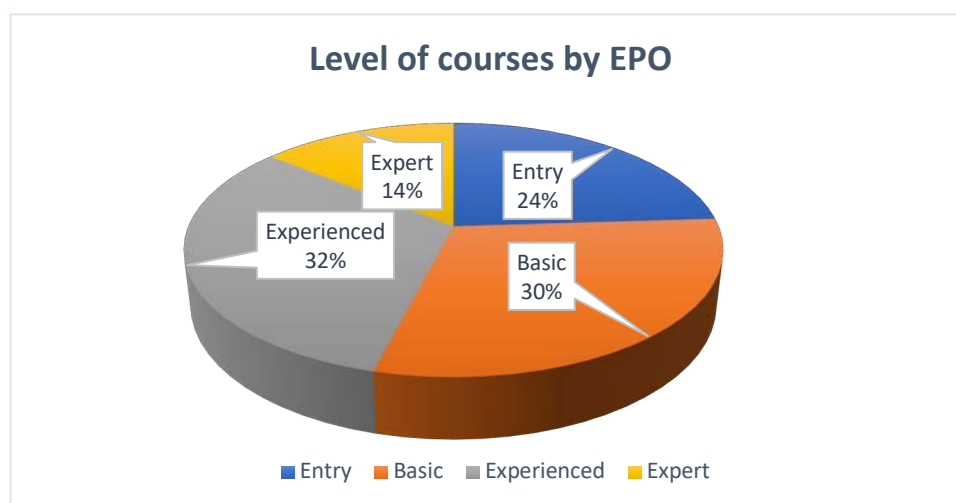
### 3.3 European Patent Office (EPO)

The E-Learning Centre of the European Patent Academy offers 76 courses, 180 videos and has above 12 500 members and is operating since 2004 [6].

Table 5. EPO courses

	<i>Duration</i>	<i>Level</i>	<i>Certificate</i>	<i>Cost</i>	<i>Access</i>
EPOQUE Net: Use of CPVO database	1 hour	Entry	No	Free of charge	Restricted
EPO Patent information tools	5 hours	Entry	No	Free of charge	Open
Assessing patentability requirements at the EPO	10 hours	Entry	Yes	Free of charge	Open
Examination Matters 2020	10 hours	Entry	Yes	Free of charge	Restricted
Patentability requirements at the EPO	15 hours	Entry	Yes	Free of charge	Restricted
Compulsory licensing in Europe	20 hours	Entry	No	Free of charge	Open
Business use of patent information	4 hours	Basic	No	Free of charge	Open
From idea to patent	5 hours	Basic	Yes	Free of charge	Restricted
The European patent system from filing to grant	11 hours	Basic	No	Free of charge	Restricted
PCT Updates 2020	11 hours	Basic	No	Free of charge	Open
Life of a patent	25 hours	Basic	Yes	350 €	Restricted
EQE pre-examination paper 2021	180 hours	Basic	No	350 €	Restricted
A selection of case law decisions, for national patent offices' examiners	3 hours	Experienced	No	Free of charge	Open
PCT at the EPO	4 hours	Experienced	No	Free of charge	Restricted
Opposition procedure at the EPO	4 hours	Experienced	Yes	Free of charge	Restricted
Boards of Appeal and key decisions 2020	4 hours	Experienced	Yes	100 €	Restricted
Patentability in information and communications technology	16 hours	Experienced	No	Free of charge	Open
How to get patents in healthcare	3 hours	Expert	Yes	Free of charge	Restricted
Patentability in specific fields	6 hours	Expert	No	Free of charge	Restricted
Patentability in healthcare, biotechnology and chemistry	9 hours	Expert	No	Free of charge	Restricted

The offered courses are on four different levels – entry (18 courses), basic (23 courses), experienced (24 courses) and expert (11 courses) (Fig. 3) and are also divided into four areas – searching for patents (14 courses); applying for a patent (10 courses); patent law & practice (41 courses); IP in business & academia (11 courses).



*Fig. 3 Level of courses by EPO*

Only 14 courses are tutored. 25 of the courses offer certificate after their completion – 7 at the entry level; 9 at the basic level; 8 at the experienced level; 1 at the expert level. Three of the courses require a fee: Life of a patent (350 €); EQE pre-examination paper 2021 (350 €); Boards of Appeal and key decisions 2020 (100 €). The course with the longest duration is EQE pre-examination paper 2021 – 180 hours and it is also one of the three paid ones; the course with the smallest duration is EPOQUE Net: Use of CPVO database – 1 hour.

## 4 CONCLUSIONS

WIPO is the first of the analysed institutions to offer distance learning in IP, but it has the lowest number of courses. WIPO offers more training courses for users who already have basic IP knowledge; the courses of WIPO are offered only on two levels – general and advanced. EUIPO started online courses at the latest, but then it is the institution with the largest number of courses, and covers not only areas directly dedicated to IP, but also others. EUIPO adds one more level to its courses – intermediate, and basic and advanced. EPO is the only institution of the three considered that is dedicated to only one aspects of IP – patents. EPO offers two lower levels – basic and entry and two higher levels – experienced and expert, but with no intermediate level like EUIPO. EPO trainings are with the most levels of knowledge. EPO is also the institution with the highest fee for training; second place is for WIPO and EUIPO has no information for required fee. EPO and EUIPO offer trainings that are intended to increase IP knowledge by offering courses not strongly related to IP [7], [8]. The distance learning in IP offered by the three analysed institutions is at a high enough level, starting from the lowest level, to turn any person into IP literate one [9], [10].

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