



Complex Approach in Academic Teaching and Training Students in 'Intellectual Property and Business', Master Degree

Maria Markova¹

University of National and World Economy, Bulgaria¹

Abstract

The complex approach contains 4 main interconnected elements in the field of intellectual property education regarding the teaching and training process in 'IP in advertising business' course.

1. Preparation of individual works by students focused on the problematic areas relating to training objectives: to identify intellectual property /IP/ in business, in advertising and company style. IP is divided in 2 groups: IP objects to protect innovations: patents, utility models, industrial designs /ID/; IP object to protect business identifiers: trademarks /TM/, ID in class 'Logos', geographical indications.

2. Discussion during the presentation of the individual works by students with a rising of questions, with an emphasis on current aspects of the market situations and regarding to the subject matter of research or to the company IP policy including protection and obtaining of IP rights in business, to the problems of business area as general or to the specific cases.

3. Student audience attitude to the relevant examined and presented by another student problem assessed as a degree of attention and interest in it through the questions raised by the audience on the circle principle.

4. Student's participation in quality assessment of the individual works and answers on the principle of anonymous.

Elements 3 and 4 are performed in the conditions of anonymity and a brief motivation in 4-6 sentences for a qualified assessment on "bad - good - excellent" scale.

As a final result:

1. The students develop their communication, presentation and discussion skills;

2. The students work effectively in the conditions of transparent discussion and develop skills for adequate and rapid implementation in business cases relating to course problems.

3. The students are motivated for analytical and creative activities by raising questions and qualitatively evaluation and motivation.

The lecturer takes into account all of the elements in placing the final assessment for students in disciplines, included in addition comprehensive evaluation of development and protected in audience individual assignment, and evaluation the written test material which is included basic terms and management relations.

Above mentioned complex approach for teaching and training, based on European social survey, form conclusions of the last 5 years experience in 4 different academic courses with more than 120 students. This approach possesses few main advantages, among which are: the interactivity of the model, the integrity of theory and practice, the development of oral communicative and discussion skills of students and increasing of student's motivation in the educational process.

Keywords: *Teaching, training, IP and business.*

1. Introduction

The course "IP in advertising business" aims to give students in "Intellectual Property and Business" specialty, master degree of education, knowledge and skills in the advertising business as a creative industry, identification and management of intellectual property in the advertising business.

The main focus of this paper is the practical module of this master course 'IP in advertising business' for the students of „IP and business“ specialty with main relatively to the IP aspects in material content - legal and management aspects.

This course 'IP in advertising business' provides students the following basic knowledge for the advertising business as a creative industry - participants, markets and consumers; classical and modern forms of realization; products of the advertising business as objects of artistic property - objects of protection, property and non-material rights of authors, economic realization of their rights; industrial property objects in the advertising business - industrial design, trademarks and other industrial property objects; business models in the advertising business.



The practical part in this course forms the following basic skills in the students: identifying the products of the advertising business – print publications, company advertising materials, digitally based products and others; identification of intellectual property objects in the advertising business; analysis of classic and modern forms of business models in the advertising business.

Developing the practical skills is divided into the modules:

- I. Preparation and presentation of the observed individual works /cases
- II. Discussion and assessment of the presented individual work and result of the session 'Q&A'

2. Content of the practical part of the course

I. Preparation and observing the individual works /cases into next following fields:

- A. Identifying the IP objects in a real advertisement strategy of company – word and visual elements, logos and multimedia products, internet based advertise products.
- B. Observing a real case in a misleading advertising
- C. Observing a real case in a comparative advertising

Regarding A: Identifying the IP objects in a real advertisement strategy of company – word and visual elements, logos and multimedia products, internet based advertise products

Identifying the IP objects in a real advertising strategy of Bulgarian or foreign company operated on the Bulgarian territory based on the paper or electronic resource containing this kind of information. Than following the presented during the lectures method among this area of study the students carry out different kind of searches for trade marks, designs, filed and registered according to the national or European legislation. The searches are done according to the specific methods for carrying out 'IP research' /1, 2/. These searches are carried out at the online database, called electronic portal for trademarks and designs of the Bulgarian Patent Office – www.bpo.bg/portal /3/ and EUIPO - www.euipo.europa.eu /4/. This search is carried out at the online based BPO SEARCH for TMs and IDs and EUIPO's EM and design registration in Logos used the instrument 'E-search plus'. Those analysis comprises of selection and systematization of the results according to various criteria, similar to the mentioned above. Moreover, the results of this area of search could not only reveal trends in the registration activity, but also could be an indicator for the policy of the economic entities or advertising agents for the protection of created intellectual property.

Their analysis comprises of choice and systematization of the results according to various criteria: - for TM – word element, subject owner or different criteria for this research and for ID – word element, subject owner and/ or class 32 'Logos' according the Locarno classification in ID The results and conclusions of those researches enable to displaying trends in the registration activity of the chosen company or specific advertising case presented on the Bulgarian market.

Examples: The elements of the complex advertisement strategy for the consumers on the Bulgarian market of the Google, Coca-Cola company, Dell company, IBM, Samsung, Facebook and other companies of the top brands of the Super brands rating list for the previous calendar year /5/.

Regarding B: Observing a real case in a misleading advertising

Following the presented during the lectures main theoretical points: definition of the misleading advertising and its characteristics according the specific legislation in Bulgaria and EC – Directive 2016/144/EC and using the content analysis the students should present a real case and decision of Commission for protection of competition /CPC/ with identifying the content: sides, legal aspects of infringement in legal and economic interests, arguments of CPC's decision /6/. In summarize students make their own conclusions, analytical and content comments based on the chosen real case study.

Example: the CPC case decision N 292 for 655/2018 with sides 'AVVA 07' Ltd and 'SC Arena Secret' Ltd and related to these firms advertising agencies and the message addressed to the clients of ladies shoes. The analysis is based on the legal key points: The misleading nature of these advertisements could affect the economic behaviour of consumers and traders, or may be detrimental to a competitor. The misleading nature of advertisements depends on a set of criteria: the characteristics of the goods or services (availability, nature or composition, method of manufacture or provision, origin, etc.), the results to be expected from their use, and the results of quality checks carried; the price or the manner in which the price is calculated; the conditions governing the supply of the goods or services and the nature, qualities and rights of the advertiser (identity and assets, qualifications, intellectual property rights, etc.). /6/

Regarding C: Observing a real case in a comparative advertising

Following the presented during the lectures main theoretical points: definition of the comparative advertising and its characteristics according the specific legislation in Bulgaria and EC¹ and using the content analysis students should present real case and decision of CPC identifying the content: sides, legal aspects of infringement in legal and economic interests, arguments of CPC's decision. In summarize students make their own conclusions, analytical and content comments based on the chosen real case study.

Example: the CPC case decision N 134 for 390/2018 with sides LIDL /Lidl Stiftung & Co. KG/ and 'Metro Cash and Carry' regarding the advertising 'with us the Italian / beer / barbecue week is throughout the year' as based on thematic weeks the advertising company of Lidl company. The analysis is based on the legal key points:

Comparative advertising explicitly or by implication makes reference to a competitor or competing goods or services.

This type of advertising is only permitted when it is not misleading. It can be a legitimate means of informing consumers of what is in their interests. Therefore, in particular, the comparisons should relate to goods or services which meet the same needs or are intended for the same purpose; relate to products with the same designation of origin; deal objectively with the material, relevant, verifiable and representative features of those goods or services, which may include price and avoid creating confusion between traders, and should not discredit, imitate or take advantage of the trade mark or trade names of a competitor /7/.

II. Discussion and assessment of the presented individual work and result of the session 'Q&A'

Discussion during the presentation of the individual works by students with a rising of questions, with an emphasis on current aspects of the market situations and regarding to the subject matter of research or to the company IP policy including protection and obtaining of IP rights in business, to the problems of business area as general or to the specific cases.

There are at least two written questions raised by the lecturer and the student audience / one anonymous student / about the presented individual work on its content and conclusions.

The attitude of the student audience towards the subject is examined and presented by another student, assessed as a degree of attention and interest in the questions raised by the audience on the principle of the circle.

Student's participation in the assessment process of the individual works and answers is on the principle of anonymous. Student's scores are performed in the conditions of anonymity and a brief motivation in 4-6 sentences for a qualified assessment on "bad - good - excellent" scale.

The complex assessment is done by the lecturer taking into account the following reasons: written work, included basic terms and management relations, presenting the student's work to the audience and answering the questions rised by the lecturer and the student audience to the presented individual course work regarding its content and the conclusions. The final score includes in addition comprehensive evaluation of development and presented to the audience individual work and evaluation of a written test including theoretic knowledge. All the mentioned above regarding the individual works has a real contribution to a final assessment for the students in this academic course.

3. Conclusions

As a final result of teaching and training student in this academic course:

- The students develop their communication, presentation and discussion skills.
- The students work effectively in the conditions of transparent discussion and develop skills for adequate and rapid implementation in business cases relating to the course problems.
- The students are motivated for analytical and creative activities by raising questions and qualitatively evaluation.



References

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