

Course Unit: 9242526 – Business Law II

Year 3 Semester 6 ISCED Code: 380 ECTS: 6,0

Type of Course Unit: Compulsory Delivery Mode: Face-to-face Language of Instruction: Portuguese

COURSE COORDINATOR: Manuel David Masseno

HOURS OF WORK

TOTAL HOURS	Contact Hours								Hours in autonomous work
	Theory	Theory and practice	Practical and laboratory work	Field work	Seminar	Internship	Tutorial guidance	Other	
150		45	30						75

Prerequisites (if applicable): Business Law II

LEARNING OUTCOMES (knowledge, skills and competence)

The objective of the present U.C. is to provide students with the following knowledge and technical skills:

1. Knowledge:

- a) To understand the Law on Companies;
- b) To understand the Laws on Patents and New Creations.

2. Skills and competences:

- a) to advise and write articles of incorporation, company bylaws and other documents, namely those related to the role of Company Secretary;
- b) to Advise and write patents and new creations applications and other documents necessary for the acquisition and enforcements of technology rights, including those related to the role of Practitioner in Intellectual Property;.

CONTENTS

I - Company Law

- a) Origins, Historical Evolution and Sources of Company Law;
- b) Companies and the other legal forms of business associations;
- c) The incorporation of companies;
- d) The corporation and the corporate capital;
- e) Members and membership rights;
- f) Management, administration and its liabilities;
- g) Amalgamation and winding up of companies.

II - Patents and New Creations

- a) Innovation and rights on information, trade Secrets and know how;
- b) Inventions, patents and utility models;
- c) Designs;
- d) IT creations;

e) Contracts on patents and other technology rights;

f) The enforcement of intellectual property rights;

DEMONSTRATION OF THE CONTENTS COHERENCE WITH THE COURSE UNIT'S LEARNING OUTCOMES

The present course unit aims to provide the students with theoretical knowledge on rules applicable to Companies and to Industrial Property, in order to be able to work as in-house lawyer or in private practice, including counselling. The practical component of the course unit will be developed by Company and Patents related documents, as well as by answering to questions in class.

The interconnection between the program contents and its objectives is as follows:

I - Company Law - Objective 1 (a) and Objective 2 (a).

II - Patents and New Creations - Objective 1 (b) and Objective 2 (b).

TEACHING METHODOLOGIES

Lectures, individual or group presentations and analysis of case law and research articles, as well as guided study, with the support of ICT.

Materials, informations and other content will be made available on the course Moodle platform, which will also be used the interaction between lectures and students.

The classes will be devoted to the discussion of connected topics, as well as the resolution of problems and the drafting and analysis of Company and Patents related documents.

DEMONSTRATION OF THE COHERENCE BETWEEN THE TEACHING METHODOLOGIES AND THE LEARNING OUTCOMES

The course will follow a methodology centered in learning promoted by the practical application relevant knowledge, through the resolution of problems and practical cases, with the support of ICT - Objective 1.

The drafting of Company and Patents related documents, as well as the resolution of practical cases is designed to prepare students to discuss problems and solve practical questions - Objective 2.

EVALUATION METHODS

There are three different evaluation periods: (i) Continuous Evaluation; (ii) Evaluation by Final Exam; and (iii) Time of Appeal.

1) Continuous evaluation: it is comprised by written evaluation, work in the classroom and one oral exam. The sum of these elements of evaluation will result in a score that is susceptible to appeal or improvement during the Time of Appeal. The grade of the oral test is eliminatory.

2) Final Exam: it is comprised by a written test (50%) and an oral exam (50%). The written test and the oral exam does not depend on previous performance in any of the elements mentioned above. The grade obtained in this phase is subject to appeal or improvement in the Time of Appeal. The grade of the oral test is final.

3) Time of Appeal: it is comprised by one oral exam which represents 100% of the grade. Students are allowed to sit the Time of Appeal exam regardless of being subject to any previous evaluation.

MAIN BIBLIOGRAPHY

Essential:

1. Curso de Direito Comercial - Vol. II (6ª edição), de Jorge Manuel Coutinho de Abreu. Coimbra, Almedina, 2019;

2. Manual de Direito Industrial. Propriedade Industrial e Concorrência Desleal (8ª edição), de Luís Couto Gonçalves. Coimbra, Almedina, 2019;

Optional:

1. Direito das Sociedades I - Parte Geral (4ª edição), de António Menezes Cordeiro . Coimbra, Almedina, 2020;

2. Direito das Sociedades II (2ª edição, reimp.), de António Menezes Cordeiro. Coimbra, Almedina, 2017;

3. Direito Industrial. Noções Fundamentais (2ª edição), de Pedro Sousa e Silva. Coimbra, Almedina, 2019;

4. Código das Sociedades Comerciais Anotado (3ª edição), de António Menezes Cordeiro (Coordenação). Coimbra, Almedina, 2020;

5. Código da Propriedade Industrial Anotado, de Luís Couto Gonçalves (Coordenação). Coimbra, Almedina, 2021.

Year of implementation: 2021/2022 | Date of approval by the Technical-Scientific Board: