

H9COMLAW: Commercial Law

Module Code:	H9COMLAW
Long Title	Commercial Law APPROVED
Title	Commercial Law
Module Level:	LEVEL 9
EQF Level:	7
EHEA Level:	Second Cycle
Credits:	5
Module Coordinator:	AKARI DEVELOPER
Module Author:	KAREN MURRAY
Departments:	School of Business
Specifications of the qualifications and experience required of staff	
Learning Outcomes	
<i>On successful completion of this module the learner will be able to:</i>	
#	Learning Outcome Description
LO1	Demonstrate a critical understanding of the Irish, European and international legal environment in which a business operates.
LO2	Critically distinguish and assess the advantages and disadvantages of the different types of commercial actors.
LO3	Outline and discuss the fundamental principles of contract law and be able to apply rules to practical and relevant situations and propose appropriate solutions.
LO4	Offer a comprehensive understanding of consumer protection and the protection of personal information
LO5	Demonstrate a critical appreciation of the rules that apply to the development and use of intellectual property and in particular rules that pertain to branded products, commercial secrets and copyright works.
Dependencies	
Module Recommendations	
No recommendations listed	
Co-requisite Modules	
No Co-requisite modules listed	
Entry requirements	

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Module Content & Assessment

Indicative Content

The Legal Framework

The Irish Legal System and sources of Irish Law: Constitution, legislation, European Union Law, International Law. Commercial Actors: sole traders, partnerships, companies. Formation, rights and liabilities Commercial dispute resolution

Contract Law

Contract Law : Formation of contracts, Invalid Contracts, Discharge of contracts and remedies

Consumer Protection

Sale of goods and supply of services protection. On-line selling, off and on premises selling. Data Protection: Principles and application to direct marketing.

Intellectual Property Law

Introduction to Intellectual property law, Licences and Assignments. Patent Law: application, term, infringements and remedies. Copyright Law: term, protected works, moral rights, infringement and remedies. Design protection. Duty of Confidence: law and duty, remedies. Remedies in Tort: passing off, defamation. Trademark Law: Irish and community trade marks, registration, grounds for refusal, infringement and defences.

Assessments

Full Time

Coursework

Assessment Type:	Continuous Assessment (0200)	% of total:	30
Assessment Date:	n/a	Outcome addressed:	1
Non-Marked:	No		
Assessment Description:			
Students will be given a problem style assessment where they will be required to identify the legal issues at stake, demonstrate knowledge and application of relevant law and provide appropriate conclusions, solutions or advice. This assessment may be undertaken in the form of an in-class assessment or project completed outside of class time.			

End of Module Assessment

Assessment Type:	Terminal Exam	% of total:	70
Assessment Date:	End-of-Semester	Outcome addressed:	1,2,3,4,5
Non-Marked:	No		
Assessment Description:			
Assessment consists of a two and a half hour examination where students will be offered a choice of at least five questions and required to answer any three. Some questions will be in a 'legal problem' style format, where students must apply their knowledge and understanding of legal principles to a particular set of complex facts, situations or scenarios. Other questions may require students to suggest what appropriate measures should be taken by the parties in order to avoid legal problems in the future. Some questions may require students to critically analyse a piece of relevant legislation, case or legal principle and its application to the business environment.			

No Workplace Assessment

Reassessment Requirement

Repeat examination

Reassessment of this module will consist of a repeat examination. It is possible that there will also be a requirement to be reassessed in a coursework element.

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Module Workload				
Module Target Workload Hours 0 Hours				
Workload: Full Time				
Workload Type	Workload Description	Hours	Frequency	Average Weekly Learner Workload
Lecture	Delivered in block format	30	Per 15 week block	2.00
Independent Learning	No Description	95	Per 15 week block	6.33
Total Weekly Contact Hours				2.00
Workload: Part Time				
Workload Type	Workload Description	Hours	Frequency	Average Weekly Learner Workload
Lecture	Delivered in block format	30	Per 15 week block	2.00
Independent Learning	No Description	95	Per 15 week block	6.33
Total Weekly Contact Hours				2.00

Module Resources	
<i>Recommended Book Resources</i>	
White F.. (2012), Commerical Law, 2nd. Roundhall, Dublin.	
<i>Supplementary Book Resources</i>	
<p>Clark, R. & Ni Shuilleabhain, M.. (2010), Intellectual Property Law in Ireland, 2nd. Kluwer Law International, Sussex, UK.</p> <p>Byrne, R., McCutcheon, P., Bruton, C. & Coffey, G.. (2014), Byrne and McCutcheon on the Irish Legal System, 6th. Bloomsbury Professional.</p> <p>Enright M.. (2007), Principles of Irish Contract Law, Clarus Press, Dublin.</p> <p>Kelleher D.. (2015), Privacy and Data Protection Law in Ireland., 2nd. Bloomsbury Professional, Dublin.</p> <p>McMahon, B. & Binchy, W.. (2014), Law of Torts: A Guide to Irish Law, 4th. Bloomsbury Professional.</p>	
<i>This module does not have any article/paper resources</i>	
<i>This module does not have any other resources</i>	
Discussion Note:	