

DIPLOMA CENTRE

Diploma in Technology & IP Law



Module 1: Trademarks

SESSION 1	TIME	DELIVERY
Wednesday 11 October 2023	6pm - 9pm	Onsite & Online

- 1 Introduction to the Diploma in Technology Law**
Sara Van den Bergh, Solicitor, Course Leader
- 2 What is a trade mark?** Section 6 definition; types of trademarks; different registration systems (Ireland, EUIPO, Madrid); the Nice classification of goods and services.
David Flynn, Senior Associate, FR Kelly
- 3 Trade mark applications:** How to file an application at the Patents Office, the EUIPO, and through the Madrid System at the WIPO; the application process – filing, examination on absolute and relative grounds, objections that can arise and overcoming them, and acquired distinctiveness.
Elaine McGrath, Partner, Reddy Charlton

2.5 hrs. Gen. CPD

SESSION 2	TIME	DELIVERY
Wednesday 18 October 2023	2pm release	Online only

- 1 Publication and the importance of their date:** Observations at the Patents Office and at the EUIPO; Irish opposition – practice and procedure; opposition at the EUIPO – practice and procedure; settling oppositions and related agreements.
TBC
- 2 Registering non-conventional trademarks:** Things to consider when filing or advising on same, case law relating to shapes, colours, sounds, smells, slogans, names, surnames, geographical locations; filings made in Bad Faith and relevant case law.
Jane Bourke, Senior Associate, Mason Hayes & Curran
- 3 Infringement of a registered trade mark:** How to enforce your trade mark rights and how to defend a claim for infringement; groundless threats under Section 24 assessed; the remedies and litigation forums available; anti-counterfeiting and customs protection; a word on ACTA.
Colette Brady, Partner, William Fry

3 hrs. Gen. CPD

Module 2: Copyright

SESSION 3	TIME	DELIVERY
Wednesday 25 October 2023	2pm release	Online only

- 1 Introduction to copyright:** What the term copyright means; how copyright differs from other intellectual property rights; what works do copyright subsist in; duration of copyright for different works; the applicable law in Ireland and the EU explained. Reforms.
Maureen Daly, Partner, Beauchamps

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2 **Copyright infringement:** Primary and secondary explained; how to enforce your rights; remedies available; recent case law.
Maureen Daly, Partner, Beauchamps

3 **Defending a copyright claim:** Permitted acts for works protected by copyright and defences to copyright infringement.
Colette Brady, Partner, William Fry

3 hrs. Gen. CPD

SESSION 4	TIME	DELIVERY
Wednesday 08 November 2023	2pm release	Online only

1 **Copyright in a digital age and permissions**

Sam Holman, Irish Copyright Licensing Agency

2 **Software and copyright:** How computer software came to be protected by copyright law; the scope of protection; the relationship of this type of protection to copyright law generally; recent case law.

Kate McKenna, Legal Counsel, Frontline Ventures

3 **Databases & copyright:** Protection of databases explained – the dual form of protection; the rules applicable to the *sui generis* right; problems associated with the right; the future of database protection; current EU policy and recent case law.

Kate McKenna, Legal Counsel, Frontline Ventures

3 hrs. Gen. CPD

Module 3: Social Media

SESSION 5 & 6	TIME	DELIVERY
Saturday 18 November 2023	10am – 1.15pm	Lectures online release only Workshop onsite only

1 **New media and social media (part 1):** Managing legal risks – social media, criminal and civil liability for content on social media; Defamation Act 2009; hosting; caching; mere conduit defences; advertising standards online. **[Online Release]**

Andrea Martin, Partner, Media Lawyer Solicitors

2 **New media and social media (part 2):** Managing legal risks – public v private; corporate reputation; social media in the employment relationship. **[Online Release]**

Andrea Martin, Partner, Media Lawyer Solicitors

3 **Workshop:**

Copyright
Trademarks

Colette Brady, Partner, William Fry

Barry Connolly, Senior Legal Counsel, Fujitsu

4 hrs. Gen. CPD & 1 hr M&PD CPD

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Module 4: Data Protection

SESSION 7	TIME	DELIVERY
Wednesday 22 November 2023	2pm release	Online only

- 1** **Origins of data protection and the current data protection landscape**
Simon McGarr, Solicitor, McGarr Solicitors
- 2** **Data protection principles: Definitions, core concepts, fundamental principles of data protection**
Aoife Sexton, Chief Privacy Officer, Truata
- 3** **Legitimate processing of data: core principles of data processing**
Richard O'Sullivan, Global Shares plc
- 4** **Principles of data retention: practical steps, destruction of records, data storage, third party storage.**
Richard O'Sullivan, Global Shares plc

3 hrs. Gen. CPD

SESSION 8	TIME	DELIVERY
Wednesday 29 November 2023	2pm release	Online only

- 1** **Rights in relation to personal data: Overview to right to access to information, removal, prevent use, right to be forgotten.**
Fergal Crehan BL, Privacy Consultant
- 2** **Overview of the GDPR Regulation: Background, scope, key changes to be implemented**
Aoife Sexton, Chief Privacy Officer, Truata
- 3** **Rights of the data subject – lawful processing, consent, data security**
Aoife Sexton, Chief Privacy Officer, Truata
- 4** **Compliance and enforcement – compliance with the new regulation, record-keeping, enforcement**
Aoife Sexton, Chief Privacy Officer, Truata

3 hrs. Gen. CPD

Module 5: Design Law and Passing Off

SESSION 9	TIME	DELIVERY
Wednesday 6 December 2023	2pm release	Online only

- 1** **Design law in Ireland and the EU: An examination of designs; legislative background; The Hague Agreement; definition of designs and products; requirements for protection; registrability; how to file an application for a design in Ireland/EU.**
Colette Brady, Partner, William Fry
- 2** **Design law – registered v unregistered designs: Irish and Community Registered Designs (CRD) v unregistered designs; term of protection; invalidity; infringement defences; authorship and ownership of designs; recent case law update; overlap between designs, copyright, and trademarks.**
Colette Brady, Partner, William Fry

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- 3 **Passing off - infringement of unregistered trademarks:** The elements of the test; how to mount a successful claim for passing off; and the defences examined.
Charleen O’Keeffe, Partner, William Fry

3 hrs. Gen. CPD

Module 6: Patents

SESSION 10	TIME	DELIVERY
Wednesday 13 December 2023	2pm release	Online only

- 1 **Introduction to patents:** What is a patent; patentable inventions; questions to ask the inventor and the legal framework.
David Brophy, Partner, FR Kelly
- 2 **Applying for a patent:** Pre-filing instructions and advices to a client in advance of disclosure of the invention; filing options in Ireland; the EPO system explained; worldwide protection.
Barry Moore, Regional Head, Patents Ireland, Murgitroyd
- 3 **Grant of patents:** Stages in patent application process
Marie Walsh, Patents Director, HGF Limited

3 hrs. Gen. CPD

SESSION 11	TIME	DELIVERY
Wednesday 10 January 2024	2pm release	Online only

- 1 **Patent rights and dealings in patents:** Licensing; compulsory licences; rights of licensees; assignments.
Brian McElligott, Partner, Mason, Hayes & Curran LLP
- 2 **Patent infringement special:** How to enforce your rights; how to defend a claim for patent infringement and remedies available.
Patricia McGovern, Chairman, DFMG Solicitors

2 hrs. Gen. CPD

SESSION 12	TIME	DELIVERY
Saturday 13 January 2024	10am-3pm	Workshops Onsite Only

- 1 **Workshop 2:**
Social media and the law
Data access requests
- 2 **Workshop 3:**
Patent/Designs
Data breaches and GDPR
Simon McGarr, Solicitor, Donal Kelly, Partner, FR Kelly, Daragh O’ Brien, CEO, Castlebridge

3 hrs. Gen. CPD & 1 hr. M&PD

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Module 7: Software and tech contracts/ E-commerce

SESSION 13	TIME	DELIVERY
Wednesday 24 January 2024	2pm release	Online only

- Technology contracts:** Software licensing and cloud computing, anatomy of a software licensing agreement, restrictions, support, maintenance, cloud computing contracts
Gemma Neylon, Head of Legal, Diageo
- E-commerce overview:** Website terms and conditions, e-commerce Regulations, electronic signatures, typical website terms, click wrap, browse wrap
John Darby, Consultant, Flynn O'Driscoll
- E-commerce and consumer law:** e-commerce Act; validity of electronic contracts; distance selling regulations; the Consumer Protection Act; online selling
John Darby, Consultant, Flynn O'Driscoll
- Outsourcing:** Steps in outsourcing, terms of outsourcing agreement, risk, ownership, privacy, jurisdictional issues, termination.
Conor McEneaney, Legal Director, DLA Piper

3 hrs. Gen. CPD

Module 8: Cybersecurity and Cybercrime

SESSION 14	TIME	DELIVERY
Wednesday 31 January 2024	2pm release	Online only

- Cybersecurity:** Computer hacking; social engineering; theft of IP
Pearse Ryan, General Counsel, Plandail Ltd & Andy Harbison, Director, Grant Thornton
- Cybercrime:** Computers and the law, unauthorised access, criminal damage, interception of communications, Cybercrime Convention
Dr. TJ McIntyre, Law Lecturer UCD, Chairperson Digital Rights Ireland

2hrs. Gen. CPD

Module 9: New Technologies

SESSION 15	TIME	DELIVERY
Wednesday 07 February 2024	2pm release	Online only

- Innovative technologies and the law:** Driverless cars; 3D printing; drones; robotics; predictive analysis; disruptive technologies
Barry Scannell, Consultant, William Fry
- Biometrics:** Biometrics software; mobile authentication; related agreements
TBC
- Bio-law:** Medico-legal considerations for stem cells, cloning, genetic research, medical trials, biotechnology.
Asim Sheikh, BL

3 hrs. Gen. CPD

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Module 10: Fintech

SESSION 16	TIME	DELIVERY
Saturday 10 February 2024	10am- 3pm	Lectures Online Release Only Workshop Onsite only

- 1 **Fintech law** - an introduction to financial technology (Fintech), examining how Fintech is driving the rapid change in the financial services sector and looking at the regulatory landscape and the legal and business risks that a Fintech company and its advisers need to consider.

Mark Adair, Senior Legal Counsel, Primark [ONLINE RELEASE ONLY]

- 2 **Blockchain and distributed ledger technologies** – how blockchain and distributed ledger technology works, legal challenges around blockchain. how it can be adapted for use for asset tracking and smart contracts, assessing the approach regulators and legislators are taking to blockchain.

Mark Adair, Senior Legal Counsel, Primark [ONLINE RELEASE ONLY]

- 3 **Workshop 4:**

E-commerce and consumer law

Technology contracts

Barry Connolly, Head of Legal & Commercial, Fujitsu Ireland

3hrs. Gen. CPD & 1 hr. M&PD CPD

Module 11: Tech in the Legal Profession

SESSION 17	TIME	DELIVERY
Wednesday 21 February 2024	2pm release	Online Only

- 1 **LawTech**

Kate McKenna, Legal Counsel, Frontline Ventures

1 hr. Gen. CPD

SESSION 18	TIME	DELIVERY
Saturday 24 February 2024	10am - 1pm	Workshop Onsite only

- 1 **Workshop 5:**

Exam preparation workshop

Review of the exam paper from 2021 - tutors will respond to each exam question and review core areas of the course.

Barry Connolly, Head of Legal & Commercial, Fujitsu Ireland

John Darby, Consultant, Flynn O' Driscoll

Daragh O'Brien, CEO, Castlebridge

2 hrs. Gen. CPD & 1 hr M&PD CPD

EXAM DATE: SATURDAY, 13 APRIL 2024

Please note that topics & dates may be subject to change. Draft timetable as of Aug 2023.

* Gen = General, M&PD = Management and Professional Development, Reg = Regulatory and eLearning = eLearning CPD credits.

CPD Note: The number of hours of CPD that you may claim in relation to your diploma/certificate course will depend on the way in which you

access each of the individual sessions. For further information please visit the course homepage on our website:

www.lawsociety.ie/diplomacentre