

DIPLOMA CENTRE

Diploma in Technology & IP Law



Module 1: Trademarks

SESSION 1	TIME	DELIVERY
Tuesday 8 October 2024	6pm – 8.30pm	Onsite & Online
1 Introduction to the Diploma in Technology Law <i>Sara Van den Bergh, Solicitor, Course Leader</i>		
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. <i>David Flynn, Senior Associate, FR Kelly</i>		
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. <i>Elaine McGrath, Partner, Reddy Charlton</i>		

SESSION 2	TIME	DELIVERY
Wednesday 16 October 2024	2pm release	Online Release
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. <i>Judy McCullagh, Partner, FR Kelly</i>		
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. <i>Jane Bourke, Senior Associate, Mason Hayes & Curran</i>		
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. <i>Colette Brady, Partner, William Fry</i>		

Module 2: Copyright

SESSION 3	TIME	DELIVERY
Wednesday 23 October 2024	2pm release	Online Release
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. <i>Maureen Daly, Partner, Beauchamps</i>		
2 Copyright infringement: Primary and secondary explained; how to enforce your rights; remedies available; recent case law. <i>Maureen Daly, Partner, Beauchamps</i>		
3 Defending a copyright claim: Permitted acts for works protected by copyright and defences to copyright infringement. <i>Colette Brady, Partner, William Fry</i>		

SESSION 4	TIME	DELIVERY
Wednesday 06 November 2024	2pm release	Online Release

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- 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.
Jane Bourke, Senior Associate, Mason Hayes & Curran
- 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.
Jane Bourke, Senior Associate, Mason Hayes & Curran

Module 3: Social Media

SESSION 5 & 6	TIME	DELIVERY
Saturday 16 November 2024	10am – 1.15pm	Onsite
<ol style="list-style-type: none"> 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. <i>Andrea Martin, Partner, Media Lawyer Solicitors [ONLINE RELEASE ONLY]</i> 2 New media and social media (part 2): Managing legal risks – public v private; corporate reputation; social media in the employment relationship, regulation of social media and Coimisiún na Meán. <i>Andrea Martin, Partner, Media Lawyer Solicitors [ONLINE RELEASE ONLY]</i> 3 Workshop 1: Copyright Trademarks <i>Colette Brady, Partner, William Fry</i> <i>Barry Connolly, Senior Legal Counsel, Fujitsu</i> 		

Module 4: Data Protection

SESSION 7	TIME	DELIVERY
Wednesday 20 November 2024	2pm release	Online Release
<ol style="list-style-type: none"> 1 Origins of data protection and the current data protection landscape <i>Simon McGarr, Solicitor, McGarr Solicitors</i> 2 Data protection principles: Definitions, core concepts, fundamental principles of data protection <i>Aoife Sexton, Chief Privacy Officer, Truata</i> 3 Legitimate processing of data: core principles of data processing <i>Richard O'Sullivan, Global Shares plc</i> 4 Principles of data retention: practical steps, destruction of records, data storage, third party storage. <i>Richard O'Sullivan, Global Shares plc</i> 		
SESSION 8	TIME	DELIVERY
Wednesday 27 November 2024	2pm release	Online Release

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- 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

Module 5: Design Law and Passing Off

SESSION 9	TIME	DELIVERY
Wednesday 4 December 2024	2pm release	Online Release
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. <i>Colette Brady, Partner, William Fry</i>		
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. <i>Colette Brady, Partner, William Fry</i>		
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. <i>Charleen O'Keeffe, Partner, William Fry</i>		

Module 6: Patents

SESSION 10	TIME	DELIVERY
Wednesday 11 December 2024	2pm release	Online Release
1 Introduction to patents: What is a patent; patentable inventions; questions to ask the inventor and the legal framework. <i>David Brophy, Partner, FR Kelly</i>		
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. <i>Barry Moore, Regional Head, Patents Ireland, Murgitroyd</i>		
3 Grant of patents: Stages in patent application process <i>Marie Walsh, Patents Director, HGF Limited</i>		

SESSION 11	TIME	DELIVERY
Wednesday 8 January 2025	2pm release	Online Release
1 Patent rights and dealings in patents: Licensing; compulsory licences; rights of licensees; assignments. <i>Brian McElligott, Partner, Mason, Hayes & Curran LLP</i>		
2 Patent infringement special: How to enforce your rights; how to defend a claim for patent infringement and remedies available. <i>Patricia McGovern, Partner, DFMG Solicitors</i>		

SESSION 12	TIME	DELIVERY
Saturday 18 January 2025	10am-3pm	Online
1 Workshop 2: Social media and the law Data access requests		

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- 2 **Workshop 3:**
Patent/Designs
Data breaches and GDPR
Simon McGarr, Solicitor, Donal Kelly, Partner, FR Kelly, Daragh O'Brien, CEO, Castlebridge

Module 7: Software and tech contracts/ E-commerce

SESSION 13	TIME	DELIVERY
Wednesday 22 January 2025	2pm release	Online Release
1 Technology contracts: Software licensing and cloud computing, anatomy of a software licensing agreement, restrictions, support, maintenance, cloud computing contracts <i>Gemma Neylon, Head of Legal, Diageo</i>		
2 E-commerce overview: Website terms and conditions, e-commerce Regulations, electronic signatures, typical website terms, click wrap, browse wrap <i>John Darby, Consultant, Flynn O'Driscoll</i>		
3 E-commerce and consumer law: e-commerce Act; validity of electronic contracts; distance selling regulations; the Consumer Protection Act; online selling <i>John Darby, Consultant, Flynn O'Driscoll</i>		
4 Outsourcing: Steps in outsourcing, terms of outsourcing agreement, risk, ownership, privacy, jurisdictional issues, termination. <i>Conor McEaney, Legal Director, DLA Piper</i>		

Module 8: Cybersecurity and Cybercrime

SESSION 14	TIME	DELIVERY
Wednesday 29 January 2025	2pm release	Online Release
1. Cybersecurity: Computer hacking; social engineering; theft of IP <i>Pearse Ryan, General Counsel, Plandail Ltd & Andy Harbison, Director, Grant Thornton</i>		
2. Cybercrime: Computers and the law, unauthorised access, criminal damage, interception of communications, Cybercrime Convention <i>Dr. TJ McIntyre, Law Lecturer UCD, Chairperson Digital Rights Ireland</i>		

Module 9: New Technologies and Tech Regulation

SESSION 15	TIME	DELIVERY
Wednesday 05 February 2025	2pm release	Online Release
1 AI Law: an introduction to AI, text and data mining, AI copyright infringement, machine learning, and AI ownership, the AI Act and Data Protection <i>Barry Scannell, Partner, William Fry</i>		

Module 10: Fintech

SESSION 16	TIME	DELIVERY
Saturday 8 February 2025	10am- 1.30pm	Online
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. <i>Mark Adair, Senior Legal Counsel, Primark [ONLINE RELEASE ONLY]</i>		
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. <i>Mark Adair, Senior Legal Counsel, Primark [ONLINE RELEASE ONLY]</i>		

Workshop 4:

- 3 **E-commerce and consumer law**
Technology contracts

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Barry Connolly, Head of Legal & Commercial, Fujitsu Ireland

Module 11: Tech in the Legal Profession

SESSION 17	TIME	DELIVERY
Wednesday 26 February 2025	2pm release	Online Release

- 1 LawTech:** an overview of legal software for e-discovery and trial preparation, due diligence, contract automation, legal research, and risks and benefits of using legal software
Paula Fearon, Partner McCann FitzGerald LLP

SESSION 18	TIME	DELIVERY
Saturday 1 March 2025	10.30am – 1.30pm	Onsite

Workshop 5:

Exam preparation workshop

Review of previous exam paper- 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

EXAM DATE: SATURDAY, 12 APRIL 2025

Please note that topics & dates may be subject to change. Draft timetable as of July 2024

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