REGULATIONS FOR THE DEGREE OF MASTER OF LAWS IN INFORMATION TECHNOLOGY AND INTELLECTUAL PROPERTY LAW (LLM[IT&IPL])

(These regulations apply to candidates admitted to the LLM(IT&IPL) curriculum in the academic year 2016-17 and thereafter.)

(See also General Regulations and Regulations for Taught Postgraduate Curricula)

LLMITIPL1. Admission requirements

To be eligible for admission to the courses leading to the degree of Master of Laws in Information Technology and Intellectual Property Law, a candidate:

(a) shall comply with the General Regulations and the Regulations for Taught Postgraduate Curricula;

(b) (i) shall hold the degree of Bachelor of Laws with at least second class honours of this University, or a qualification of equivalent standard from this University or another comparable institution accepted for this purpose; or

(ii) shall hold the degree in a discipline other than law with at least second class honours of this University, or a qualification of equivalent standard from this University or another comparable institution accepted for this purpose; and have at least two years of relevant experience and professional qualifications; or

(iii) shall have obtained either the Common Professional Examination of England and Wales or the Common Professional Examination Certificate of this University provided that in either case the candidate has also obtained a degree with at least second class honours of this University, or a qualification of equivalent standard from this University, or another comparable institution accepted for this purpose; and

(c) for a candidate who is seeking admission on the basis of a qualification from a university or comparable institution outside Hong Kong of which the language of teaching and/or examination is not English, shall satisfy the University English language requirement applicable to higher degrees as prescribed under General Regulation G2(b).

LLMITIPL2. Advanced Standing

Advanced Standing may be granted to candidates in recognition of studies completed successfully before admission to the curriculum. Candidates who are awarded Advanced Standing will not be granted any further credit transfer for those studies for which Advanced Standing has been granted. The amount of credits to be granted for
Advanced Standing shall be determined by the Board of the Faculty of Law, in accordance with the following principles:

(a) a candidate may be granted a total of not more than 9 credits (one course) for Advanced Standing unless otherwise approved by the Senate; and

(b) credits granted for Advanced Standing shall not normally be included in the calculation of the GPA unless permitted by the Board of the Faculty of Law but will be recorded on the transcript of the candidate.

**LLMITIPL3. Period of study**

(a) The curriculum for the degree of Master of Laws in Information Technology and Intellectual Property Law shall normally require one academic year of full-time study or two academic years of part-time study, and shall include any assessment to be held during and/or at the end of each semester.

(b) Candidates shall not in any case be permitted to extend their studies beyond the maximum period of registration of two academic years in the case of full-time candidates and three academic years in the case of part-time candidates, unless otherwise permitted or required by the Board of the Faculty of Law.

**LLMITIPL4. Completion of curriculum**

To complete the curriculum for the degree of Master of Laws in Information Technology and Intellectual Property Law, a candidate shall

(a) satisfy the requirements prescribed under TPG 6 of the Regulations for Taught Postgraduate Curricula; and

(b) satisfactorily complete not fewer than 72 credits\(^1\) in the case of a full-time study in one academic year, including a capstone experience, or not fewer than 36\(^1\) credits in the case of a part-time study in each of the two academic years of study, including a capstone experience.

**LLMITIPL5. Selection of courses**

(a) Candidates shall select their courses in accordance with these regulations and the guidelines specified in the syllabus before the beginning of each semester. Changes to the selection of courses may be made only during the add/drop period of the semester in which the course begins, and such changes shall not

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\(^1\) Candidates who choose ECOM6032/ IC0M6027 or both of the courses offered by the Department of Computer Science are required to complete 78 credits or 75 credits respectively for satisfying the curriculum requirement.
be reflected in the transcript of the candidate. Requests for changes after the designated add/drop period of the semester shall not normally be considered.

(b) Withdrawal from courses beyond the designated add/drop period will not be permitted, except for medical reasons or with the approval of the Board of the Faculty of Law. Withdrawal without permission will result in a fail grade in the relevant course(s).

LLMITIPL6. Dissertation

(a) Candidates, whether full-time or part-time, who elect to submit a dissertation shall submit the title not later than six months before presenting the dissertation for examination. The dissertation must be presented not later than August 31 of the year in which the candidate would like to graduate.

(b) In exceptional circumstances a candidate may apply to the Board of the Faculty of Law for an extension of the period within which the dissertation must be presented at least three months before the prescribed date of submission. Late applications for extension will not be considered, except for medical reasons or with the approval of the Board of the Faculty of Law.

(c) The candidate shall submit a statement that the dissertation represents his or her own work undertaken after registration as a candidate for the degree. The examiners may require an oral examination on the subject of the dissertation.

LLMITIPL7. Progression in curriculum

(a) Candidates shall normally be required to undertake a combination of courses and study requirement as prescribed in these regulations and the syllabus, and in the manner as specified below, unless otherwise permitted or required by the Board of the Faculty of Law.

(i) Candidates who are on a one-year full-time mode of study shall normally be required to take not fewer than 27 credits nor more than 36 credits in any one semester (except the summer semester).

(ii) Candidates who are on a two-year part-time mode of study shall normally be required to take not fewer than 9 credits nor more than 18 credits in any one semester (except the summer semester).

(iii) Where candidates are required to make up for failed credits, the Board of the Faculty of Law may give permission for candidates to exceed the required curriculum study load as specified in LLMITIPL4(b).

(iv) In each case under (i) or (ii) above, the total number of credits taken for the required curriculum study load shall not be fewer than 72
credits nor more than 78 credits for the normative period of study specified in LLMITIPL.3(a).

(b) Candidates may, with the approval of the Board of the Faculty of Law, transfer credits for courses completed at other institutions during their candidature. The number of transferred credits may be recorded in the transcript of the candidate, but the results of courses completed at other institutions shall not be included in the calculation of the GPA. The combined total number of credits to be granted for Advanced Standing and credit transfer shall not exceed half of the total credits normally required under the curriculum of the candidates during their candidature at the University.

(c) Unless otherwise permitted by the Board of the Faculty, candidates shall be recommended for discontinuation of their studies if they have:

(i) failed to complete successfully 45 or more credits (under one-year full-time study) or 18 or more credits (under two-year part-time study) in two consecutive semesters (not including the summer semester), except where they are not required to take such a number of credits in the two given semesters, or

(ii) failed to achieve an average semester GPA of 1.5 or higher for two consecutive semesters (not including the summer semester); or

(iii) exceeded the maximum period of registration specified in LLMITIPL.3(b).

LLMITIPL.8. Exemption

Candidates may be exempted, with or without special conditions attached, from the requirement prescribed in the regulations and the syllabus governing the curriculum with the approval of the Board of the Faculty of Law, except in the case of a capstone experience. Approval for exemption of a capstone experience may be granted only by the Senate with good reasons. Candidates who are so exempted must replace the number of exempted credits with courses of the same credit value.

LLMITIPL.9. Assessment

(a) Candidates shall be assessed for each of the courses for which they have registered, and assessment may be conducted in any combination of continuous assessment of coursework, written examinations and/or any other assessable activities. Only passed courses will earn credits.

(b) Candidates suspended under Statute XXXI shall not be allowed to take, present themselves for, and participate in any assessments during the period of suspension, unless otherwise permitted by the Senate.
(c) Candidates shall not be permitted to repeat a course for which they have received a passing grade for the purpose of upgrading.

(d) Candidates are required to make up for failed courses in the following manner:

(i) undergoing re-assessment/re-examination in the failed course to be held no later than the end of the following semester (not including the summer semester); or

(ii) re-submitting failed coursework, without having to repeat the same course of instruction; or

(iii) repeating the failed course by undergoing instruction and satisfying the assessments; or

(iv) for elective courses, taking another course in lieu and satisfying the assessment requirements.

(e) Where candidates are permitted or required to present themselves for re-assessment/ re-examination/ assessment in an alternative course under (d) above, the new grade obtained together with the previous F grade shall be recorded on the transcript and be included in the calculation of the semester GPA, year GPA and the cumulative GPA. Such candidates shall not be eligible for any mark of distinction.

(f) There shall be no appeal against the results of examinations and all other forms of assessment.

LLMITIPL.10. Absence from an examination

Candidates who are unable through illness to be present at the written examination of any course may apply for permission to present themselves at a supplementary examination of the same course to be held before the beginning of the First Semester of the following academic year. Any such application shall be made on the form prescribed within two weeks of the first day of the candidate’s absence from any examination. Any supplementary examination shall be part of that academic year’s examinations, and the provisions made in the regulations for failure at the first attempt shall apply accordingly.

LLMITIPL.11. Requirements for graduation

To be eligible for the award of the degree of Master of Laws Information Technology and Intellectual Property Law, candidates shall comply with the General Regulations and the Regulations for Taught Postgraduate Curricula, and complete the curriculum and satisfy the examiners in not fewer than 72 credits in accordance with these regulations within the maximum period of registration, which shall include the successful completion of a capstone experience as specified in the syllabuses of the curriculum.
LLMITIPL12.  Grading system

Individual courses shall be graded in accordance with TPG9 (a) of the Regulations for Taught Postgraduate Curricula as determined by the Board of Examiners.

LLMITIPL13.  Classification of awards

Upon successful completion of the curriculum, candidates who have shown exceptional merit may be awarded the degree with distinction as determined by the Board of Examiners, and this mark shall be recorded in the candidates’ degree diploma.
SYLLABUS FOR THE DEGREE OF MASTER OF LAWS MASTER OF LAWS IN INFORMATION TECHNOLOGY AND INTELLECTUAL PROPERTY LAW (LLM [IT&IPL])

COURSEWORK

The Board of Examiners shall decide what proportion of the final assessment for each course shall be determined by written work carried out during the course of study. Candidates will be informed at the beginning of the course of the relative proportions of the final assessment to be derived from coursework and from written examinations which will be held at the end of the teaching programme.

OBJECTIVES

The principal objective of the degree of Master of Laws in Information Technology and Intellectual Property Law is to offer a range of courses that provide a sound legal understanding of various aspects of the rapidly developing field of information technology which involve components of intellectual property whether they be the patentability of computer software, internet business methods and other technologies, hyperlink, deep link, cache and framing as copyright infringement; technology licensing; copyright in computer programs; circumvention of technological protection measures; criminality of pirating copyright works online; semi-conductor chip; and decompilation of computer code. Subject areas will be regularly expanded and updated to ensure that students are able to understand and analyze contemporary legal issues in this area.

DISSERTATION

An 18-credit dissertation shall comprise a paper with required length ranging from 16,000 to 20,000 words on a legal topic approved by the Faculty Higher Degrees Committee. A 9-credit dissertation shall comprise a paper on a legal topic likewise approved with required range from 8,000 to 10,000 words. In both cases the dissertation must provide evidence of original research work and a capacity for critical legal analysis and argument.

STRUCTURE

Candidates are required to complete not fewer than 72 credits nor more than 78 credits, including at least two 9-credit courses from each sub-stream and a capstone course in accordance with the regulations for this degree and the syllabus as set out below. Subject to LLMITIPL2, LLMITIPL4, LLMITIPL7(b) and LLMITIPL8, a candidate is required to take not less than two or up to four 9-credit additional courses from the courses offered within these two sub-streams or the additional electives listed under this programme, which may or may not include the completion of either a 9-credit or 18-credit dissertation.
Candidates who do not hold an undergraduate degree in law shall be required by the Faculty Higher Degrees Committee to complete, amongst the eight 9-credit courses of this programme, up to two 9-credit courses of foundational law courses to be defined by the Committee at the time of admission.

**Intellectual property law sub-stream**
*(Candidates must choose at least two modules from this sub-stream)*
- LLAW6243 Advanced intellectual property law (9 credits)
- LLAW6223 Copyright and creativity (9 credits)
- LLAW6005 Hong Kong intellectual property law (9 credits)
- LLAW6132 International and comparative intellectual property law (9 credits)
- LLAW6140 Intellectual property, innovation and development (9 credits)
- LLAW6212 Intellectual property protection in China: law, politics and culture (9 credits)
- LLAW6181 Management and commercialization of intellectual property
- LLAW6219 Patent law (9 credits)
- LLAW6200 Topics in trademark law (9 credits)

**Information technology law sub-stream**
*(Candidates must choose at least two modules from this sub-stream)*
- LLAW6124 Communications law (9 credits)
- LLAW6117 Cybercrime (9 credits)
- LLAW6111 E-business law (9 credits)
- LLAW6170 Introduction to information technology law (9 credits)
- LLAW6176 Online Dispute Resolution (9 credits)
- LLAW6139 PRC information technology law (9 credits)
- LLAW6046 Privacy and data protection (9 credits)
- LLAW6141 Regulation of cyberspace: theories of internet and normativity (9 credits)

**Capstone course**
- LLAW6120 Intellectual property and information technology (Capstone) (9 credits)

**Electives (Department of Law)**
- LLAW6106 Advanced issues in information technology law (9 credits)
- LLAW6187 Advanced topics in competition law (9 credits)
- LLAW6267 Courts (9 credits)
- LLAW6249 Entertainment law: Popular iconography and the celebrity (9 credits)
- LLAW6119 Human rights and cyberspace (9 credits)
- LLAW6188 Intellectual property policy and practice (9 credits)
- LLAW6054 9-Credit Dissertation (9 credits)
- LLAW6014 18-Credit Dissertation (18 credits)

**Electives* (Department of Computer Science)**
- ECOM6032 e-Discovery and digital forensics (6 credits)
- ICOM6027 e-Crimes: digital crime scene and legal sanctions (6 credits)

* Candidates who choose ECOM6032/ICOM6027 or both of the courses offered by the Department of Computer Science are required to complete 78 credits or 75 credits respectively for satisfying the curriculum requirement.
NOTE: Not all courses will be offered in any given year. For actual courses available, please refer to annual course offerings.