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NEDLEGGING AV JUS298-2-A LAW, REGULATION AND TECHNOLOGY OG OPPRETTING AV JUS2305/JUS3505 LAW, REGULATION AND TECHNOLOGY

Bakgrunn

I sak 76/22 til fakultetsstyret 27.9.2022 vedtok fakultetsstyret ny modell for engelskspråklege emne ved fakultetet der dei engelskspråklege emna som hovudregel skal finnast i to variantar med ulike emnkodar: Den eine versjonen av emnet skal ha læringsutbyteskildring i samsvar med bachelornivået i nasjonalt kvalifikasjonsrammeverk, og den andre versjonen av emnet skal ha læringsutbyteskildring i samsvar med masternivå i nasjonalt kvalifikasjonsrammeverk.

Emnet Law, Regulation and Technology vart opphavleg ikkje foreslått som anna enn eit spesialemne på masternivå då fakultetets inntrykk var at dette emnet haldt eit så høgt nivå at det vanskeleg ville kunne tilpassast bachelorstudentar i tillegg. Professor Justine Pila blei difor opphavleg ikkje beden om å utarbeida reviderte emneskildringar. På eige initiativ har ho teke kontakt og foreslått at også hennar emne kan tilpassast i versjonar både på bachelor og masternivå. Når emneansvarleg sjølv ønskjer at emnet skal tilbydast i to versjonar, er det ikkje grunn til at dette emnet skal unntakast frå hovudmodellen.

Som vedlegg følgjer saka slik ho vart presentert for studieutvalet, inkludert ei oppsummering av skilnadene på bacheloremnet og masteremnet, samt emneskildringar for begge emna, utarbeidde av emneansvarleg Justine Pila, professor II ved fakultetet.

Handsaming i studieutvalet

Studieutvalet handsama saka i sitt møte den 01.12.2022 og oversendte saka til fakultetsstyret med følgjande uttale:

«Studieutvalet oppfordrar fakultetsstyret til å leggja ned emnet JUS298-2-A Law, Regulation and Technology etter studieåret 2022/2023 og i staden oppretta JUS2305/JUS3505 Law, Regulation and Technology som skal undervisast første gong haustsemesteret 2023, og til å vedta overgangsordningar og tal på vurderingsforsøk som skildra.»

Dekan og fakultetsdirektørs merknader

Forslaget som ligg føre inneber ei omlegging av dei engelskspråklege emna i samsvar med den nye modellen som styret vedtok i sak 76/22. Dekan og fakultetsdirektør stiller seg bak dette framlegget og fremmer saka med følgjande

forslag til vedtak:

1. Emnet JUS298-2-A Law, Regulation and Technology blir lagt ned etter studieåret 2022/2023.

2. Emna JUS2305 Law, Regulation and Technology og JUS3505 Law, Regulation and Technology blir oppretta og skal undervisast første gong haustsemesteret 2023
3. Overgangsordning for studentar som treng å gjennomføra vurdering i gamalt emne JUS298-2-A etter studieåret 2022/2023: Studentane avlegg i staden eksamen i nytt emne JUS3505 Law, Regulation and Technology.
4. Studentar har tre vurderingsforsøk samla både for det gamle emnet JUS298-2-A i kombinasjon med eitt av dei to nye emna, og samla for dei to nye emna i kombinasjon.

Karl Harald Søvig
dekan

Øystein L. Iversen
fakultetsdirektør

05.12.2022
INTØ

Vedlegg:

1. Sak 74//22-9 til Studieutvalet
2. Emneskildring JUS2305 Law, Regulation and Technology
3. JUS3505 Law, Regulation and Technology

Nedlegging av JUS298-2-A Law, Regulation and Technology og oppretting av JUS2305/JUS3505 Law, Regulation and Technology

I sak 76/22 til fakultetsstyret 27.9.2022 vedtok fakultetsstyret ny modell for engelskspråklege emne ved fakultetet der dei engelskspråklege emna som hovudregel skal finnast i to variantar med ulike emnkodar: Den eine versjonen av emnet skal ha læringsutbyteskildring i samsvar med bachelornivået i nasjonalt kvalifikasjonsrammeverk, og den andre versjonen av emnet skal ha læringsutbyteskildring i samsvar med masternivå i nasjonalt kvalifikasjonsrammeverk.

Emnet Law, Regulation and Technology vart opphavleg ikkje foreslått som anna enn eit spesialemne på masternivå då fakultetets inntrykk var at dette emnet haldt eit så høgt nivå at det vanskeleg ville kunne tilpassast bachelorstudentar i tillegg. Professor Justine Pila blei difor opphavleg ikkje beden om å utarbeida reviderte emneskildringar. På eige initiativ har ho teke kontakt og foreslått at også hennar emne kan tilpassast i versjonar både på bachelor og masternivå. Når emneansvarleg sjølv ønskjer at emnet skal tilbydast i to versjonar, er det ikkje grunn til at dette emnet skal unntakast frå hovudmodellen.

Emneansvarleg Justine Pila har difor utarbeidd dei to emneskildringane som ligg ved. Mål og innhald er likelydande for dei to emna, medan det forventa læringsutbytet frå emna (kunnskap, ferdigheter og generell kompetanse) er ulikt formulert og tilpassa høvesvis studentar på 3. studieår (bachelornivå) og studentar på 5. studieår (masternivå).

Undervisninga på masternivå inkluderer to ekstra forelesingar som vil omhandla Intellectual Property and Big Data. Dette temaet er ikkje del av bacheloremnet.

Begge emna har obligatorisk kursoppgåve på 1800-2000 ord som må vera greidd for at studentane skal kunna avlegga eksamen.

Vurderingsforma i bacheloremnet er to timar skuleeksamen, medan vurderingsforma i masteremnet er tre timar skuleeksamen.

Emneansvarleg har ikkje utarbeidd justert litteraturliste for bacheloremnet enno, men denne vil leggest fram for studieutvalet på eit seinare tidspunkt og komma på plass før fristen for publisering av litteraturlister for haustsemesteret 2023.

Overgangsordning og tal på eksamensforsøk

§3-2-4 i Forskrift om opptak, studier, vurdering og grader ved Universitetet i Bergen (UiB-forskrifta) seier: «Ved nedlegging av studieprogram, studieretninger og emner skal vedtaksorganet fastsette overgangstid for undervisning og vurdering. Studenter som er tatt opp til studieprogram som vedtas nedlagt, har rett til å fullføre dette i samsvar med vedtak om overgangstid. Ved nedlegging av emner skal det normalt avholdes vurdering i emnet i ett eller to påfølgende semestre etter siste undervisningssemester.»

I dette tilfellet er emna på masternivå så like at studentar som treng å gjennomføra vurdering i gamalt emne JUS298-2-A etter vårsemesteret 2023, i staden vil bli viste til å avlegga eksamen i nytt emne JUS3505 Law, Regulation and Technology.

§ 6-8-1 i UiB-forskrifta seier følgjande om antall vurderingsforsøk: «Ved Universitetet i Bergen gjelder det ordinært en øvre grense på tre vurderingsforsøk for det enkelte emne. Begrensningen i antallet vurderingsforsøk gjelder også dersom emnet har skiftet emnekode, inngår med ulik kode i flere studieprogrammer eller inngår i ny form i et studieprogram i tilknytning til en overgangsordning.

I medhald av dette gjeld at studentar har tre vurderingsforsøk samla både for det gamle emnet JUS298-2-A og kvart av dei to nye emna, og samla for dei to nye emna i kombinasjon. Ein student som tidlegare har nytta alle vurderingsforsøka i emnet på 3. studieår, kan ikkje få nye høve til å greia emnet ved å i staden melda seg til den andre utgåva av emnet på 5. studieår.

SU uttalar:

Studieutvalet oppfordrar fakultetsstyret til å leggja ned emnet JUS298-2-A Law, Regulation and Technology etter studieåret 2022/2023 og i staden oppretta JUS2305/JUS3505 Law, Regulation and Technology som skal undervisast første gong haustsemesteret 2023, og til å vedta overgangsordningar og tal på vurderingsforsøk som skildra.

Vedlegg: Emneskildringar

JUS2305 Law, Regulation, and Technology
Justine Pila (justine.pila@law.ox.ac.uk)
Bachelors level, Autumn 2023

Course Name

Law, Regulation, and Technology

Course Teacher and Coordinator

Professor Justine Pila

ECTS Credits

10

Level of Study

Bachelor

Full-time/Part-time

Full-time

Teaching Semester

Autumn

Place of Instruction

Faculty of Law, University of Bergen

(The course requires in-person attendance and is not suitable for online/remote study)

Complementary Courses

The course combines successfully with several courses offered in Spring, including:

- Legal Philosophy;
- International Copyright Law;
- EU Copyright Law;
- Legal Technology;
- JUS2303/JUS5303 Privacy and Data Protection – GDPR.

Objectives and Content

This course considers contemporary issues at the interface of Law, Regulation, and Technology. Its starting point is the traditional idea of Law as the primary means by which social and political life are regulated, and of the State as the primary regulatory actor. Through a series of case studies involving intellectual property (IP), we ask how this conception sits with the reality of regulation in the current advanced technological age. The objectives are to introduce students to some of the most important

and pressing legal issues of today, and to enable them to engage in contemporary debates regarding (a) Technology as a source of regulatory opportunities and challenges for States, and (b) the role of Law, including IP Law particularly, in exploiting and negotiating them.

Schedule of Classes

The course will be taught in 10 seminars during the Autumn semester, following this or a similar schedule:

Class 1: Law, Regulation, and Technology

- The nature of Law, Regulation, and Technology
- Technology as a source of regulatory opportunities and challenges for States
- Law in an advanced technological age

Class 2: Intellectual Property

- The nature of Intellectual Property
- The role of IP Law historically and today
- Conceptions of IP, including as a regulatory tool and system

Classes 3 to 5: Patent Systems and Modern Biotech

- Arguments for (and Against) Patents
- Modern Biotech and its disruption of Patent Law
- Contemporary Patent Issues: inventions, incentives, and public benefit; gene and medical patenting

Classes 5 (continued) to 7: Copyright in Cyberspace

- Arguments for (and Against) Copyright
- The Internet and its disruption of Copyright Law
- Contemporary Copyright Issues: works, rights, and third-party freedoms; media monitoring, hyperlinking, and online hosting

Classes 8 and 9: Trade Marks in the Platform Economy

- Arguments for (and Against) Trade Marks
- The Platform Economy and its disruption of Trademark Law
- Contemporary Trademark Issues: brands, TM functions, and liability; extended protections, keyword advertising, and platform operators

Class 10: Concluding Themes

Schedule of Classes

All students are expected to prepare in advance for class and to participate in class discussions.

Learning Outcomes

After successful completion of this course, students will have:

- Broad knowledge of key contemporary debates in the field of Law, Regulation, and Technology, including specialised insight into some of the regulatory challenges created for Law and the State by advanced digital and bio technologies;
- Familiarity with scholarly theories and methods in the field of Law, Regulation, and Technology, particularly as they relate to IP;
- The ability to draw and build on this knowledge to engage with new areas within the fields of Law, Regulation, and Technology, and IP;
- Knowledge of the history, traditions, distinctive character, and place in society of Law, Regulation, and Technology, and particularly of IP.

Students will also have developed certain skills and general competence, including:

- The ability to understand and engage with doctrinal, policy, and theoretical sources of different types, and to use those sources to present scholarly arguments in the fields covered by the course;
- The ability to apply academic knowledge and relevant work to practical and theoretical problems in the fields of Law, Regulation, and Technology, and IP, and to make well-founded choices between different legal and policy alternatives;
- The ability to find, evaluate, and refer to information and scholarly ideas and to present them in a manner that is appropriate and instructive in the fields of Law, Regulation, and Technology, and IP;
- The ability to engage in debates and write reasoned responses to questions on legal and policy issues in the fields of Law, Regulation, and Technology, and IP.

Required Previous Knowledge

Two years of law studies. Good level of English

Credit Reduction due to Course Overlap

Combined with JUS298-2-A Law, Regulation and Technology or JUS3505 Law, Regulation and Technology, this course will generate no new credits.

Access to the Course

The course is available for students:

- Admitted to the five-year master programme in law;
- Granted admission to elective courses at the Faculty of Law;
- Exchange students at the Faculty of Law.

The pre-requirements may still limit certain students' access to the course.

Teaching and learning methods

Discussion-based classes.

Compulsory Assignments and Attendance

Students are required to submit a paper of between 1,800 and 2,000 words (not including footnotes or appendices) on a designated topic. The paper must be approved by the Class leader (Professor J. Pila). Only students who have had their paper approved will obtain the right to sit the exam.

Students who fail the paper will have a chance to resubmit their paper before the exam.

Forms of Assessment

One two-hour digital school exam, sat after the final seminar in the Autumn semester. (Information about digital examination can be found at <http://www.uib.no/en/education/87471/digital-examination>.)

Exam language:

- Question paper: English
- Answer paper: English

Examination Support Material

Support materials allowed during school exam

See section 3-5 of the Supplementary Regulations for Studies at the Faculty of Law at the University of Bergen.

Special regulations about dictionaries

- According to the Regulations for Studies, one dictionary is permitted support material during the examination. Bilingual dictionaries containing for example *both* Norwegian-English and English-Norwegian are considered as one dictionary;
- Bilingual dictionaries to/from the same two languages - for example Norwegian-English/English-Norwegian - in *two* different volumes are also considered as one dictionary (irrespective of publisher or edition);
- Dictionaries as described above cannot be combined with any other types of dictionaries;
- Any kind of combination which makes up *more than* two physical volumes is forbidden;
- In case a student has a special need for any other combination than the above mentioned, such combination has to be clarified with/approved by the course coordinator *minimum two weeks* before the exam. Students who have not been granted permission to have a special combination *minimum two weeks* before the exam will be subject to the [usual regulations](#) (Section 3-5) about examination support materials.

Grading Scale

A - E for passed, F for failed

Course Evaluation

According to the administrative arrangements for course evaluation at the Faculty of Law

JU3505 Law, Regulation, and Technology
Justine Pila (justine.pila@law.ox.ac.uk)
Masters level, Autumn 2023

Course Name

Law, Regulation, and Technology

Course Teacher and Coordinator

Professor Justine Pila

ECTS Credits

10

Level of Study

Master

Full-time/Part-time

Full-time

Teaching Semester

Autumn

Place of Instruction

Faculty of Law, University of Bergen

(The course requires in-person attendance and is not suitable for online/remote study)

Complementary Courses

The course combines successfully with several courses offered in Spring, including:

- Legal Philosophy
- International Copyright Law
- EU Copyright Law
- Legal Technology
- JUS2303/JUS5303 Privacy and Data Protection – GDPR

Objectives and Content

This course considers contemporary issues at the interface of Law, Regulation, and Technology. Its starting point is the traditional idea of Law as the primary means by which social and political life are regulated, and of the State as the primary regulatory actor. Through a series of case studies involving intellectual property (IP), we ask how this conception sits with the reality of regulation in the current advanced technological age. The objectives are to introduce students to some of the most important

and pressing legal issues of today, and to enable them to engage in contemporary debates regarding (a) Technology as a source of regulatory opportunities and challenges for States, and (b) the role of Law, including IP Law particularly, in exploiting and negotiating them.

Schedule of Classes

The course will be taught in 12 seminars during the Autumn semester, following this or a similar schedule:

Class 1: Law, Regulation, and Technology

- The nature of Law, Regulation, and Technology
- Technology as a source of regulatory opportunities and challenges for States
- Law in an advanced technological age

Class 2: Intellectual Property

- The nature of Intellectual Property
- The role of IP Law historically and today
- Conceptions of IP, including as a regulatory tool and system

Classes 3 to 5: Patent Systems and Modern Biotech

- Arguments for (and Against) Patents
- Modern Biotech and its disruption of Patent Law
- Contemporary Patent Issues: inventions, incentives, and public benefit; gene and medical patenting

Classes 5 (continued) to 7: Copyright in Cyberspace

- Arguments for (and Against) Copyright
- The Internet and its disruption of Copyright Law
- Contemporary Copyright Issues: works, rights, and third-party freedoms; media monitoring, hyperlinking, and online hosting

Classes 8 and 9: Trade Marks in the Platform Economy

- Arguments for (and Against) Trade Marks
- The Platform Economy and its disruption of Trademark Law
- Contemporary Trademark Issues: brands, TM functions, and liability; extended protections, keyword advertising, and platform operators

Classes 10 and 11: (Intellectual) Property and Big Data

- Arguments for (and Against) Data Protection
- AI and its disruption of Data Protection
- Contemporary Data Protection Issues: regulatory agendas and approaches, (surveillance) capitalism; privacy, property, and proposals for reform

Class 12: Concluding Themes

Schedule of Classes

All students are expected to prepare in advance for class and to participate in class discussions.

Learning Outcomes

After successful completion of this course, students will have:

- Advanced knowledge of key contemporary debates in the field of Law, Regulation, and Technology, including specialised insight into some of the regulatory challenges created for Law and the State by advanced digital and bio technologies;
- Thorough knowledge of scholarly theories and methods in the field of Law, Regulation, and Technology, particularly as they relate to IP;
- The ability to apply this knowledge to new areas within the fields of Law, Regulation, and Technology, and IP;
- The ability to analyse academic problems on the basis of the history, traditions, distinctive character, and place in society of Law, Regulation, and Technology, and particularly of IP.

Students will also have developed certain skills and general competence, including:

- The ability to analyse and engage critically with doctrinal, policy, and theoretical sources of different types, and to use those sources to structure and formulate persuasive scholarly arguments in the fields covered by the course;
- The ability to apply their knowledge and skills when thinking about new problems in the fields of Law, Regulation, and Technology, and IP;
- The ability to work independently and to carry out independent, limited research in the fields of Law, Regulation, and Technology, and IP;
- The ability to write clearly, coherently, and persuasively on legal and policy issues in the fields of Law, Regulation, and Technology, and IP.

Required Previous Knowledge

Three years of law studies. Good level of English.

Credit Reduction due to Course Overlap

Combined with JUS298-2-A Law, Regulation and Technology or JUS2305 Law, Regulation and Technology, this course will generate no new credits.

Access to the Course

The course is available for students:

- Admitted to the integrated master programme in law;
- Admitted to the two-year master programme in law;
- Granted admission to elective courses at the Faculty of Law;
- Granted additional right to study following completed Masters degree in Law at UiB;
- Exchange students at the Faculty of Law.

The pre-requirements may still limit certain students' access to the course.

Teaching and learning methods

Discussion-based classes.

Compulsory Assignments and Attendance

Students are required to submit a paper of between 1,800 and 2,000 words (not including footnotes or appendices) on a designated topic. The paper must be approved by the Class leader (Professor J. Pila). Only students who have had their paper approved will obtain the right to sit the exam.

Students who fail the paper will have a chance to resubmit their paper before the exam.

Forms of Assessment

One three-hour digital school exam, sat after the final seminar in the Autumn semester. (Information about digital examination can be found at <http://www.uib.no/en/education/87471/digital-examination>.)

Exam language:

- Question paper: English
- Answer paper: English

Examination Support Material

Support materials allowed during school exam

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- Bilingual dictionaries to/from the same two languages - for example Norwegian-English/English-Norwegian - in *two* different volumes are also considered as one dictionary (irrespective of publisher or edition);
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- Any kind of combination which makes up *more than* two physical volumes is forbidden;
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Grading Scale

A - E for passed, F for failed

Course Evaluation

According to the administrative arrangements for course evaluation at the Faculty of Law

