**INTELLECTUAL PROPERTY LAW**

**ERASMUS PROGRAMME**

**SUBJECTS FOR ESSAY PAPERS**

1. Read the judgments of the ECJ in the following cases:

1. Sabel/Puma, C-251/95
2. Lloyd/Loints, C-342/97
3. Canon/Cannon, C-39/97

and discuss critically the legal principles set by these judgments.

2. Read the judgments of the ECJ in the following cases:

1. Intel/CPM, C-252/07
2. L’Oreal / Bellure, C-487/07

and discuss critically the legal principles set by these judgments.

3. Read the judgments of the ECJ in the following cases:

1. Sebago, C-173/98
2. Davidoff, C-414, 415, 416/96

and discuss critically the legal principles set by these judgments.

4. Read the judgment of the ECJ, as well of the Opinion of the Attorney General in the case of Silhouette / Hartlaeur (C-355/96) and discuss critically the legal arguments for and against international exhaustion of trademark rights..

5. Critically discuss the legal concept of the “average consumer” as used in trademark law. What do courts mean with the statements that the average consumer is “reasonably well informed and well observant”?

6. Discuss the legal issues relating to the protection of colors in trademark law.

7. Discuss the legal issues relating to the protection of shapes in trademark law.

8. Discuss the legal process followed to establish likelihood of confusion in trademark law.

9. Discuss the legal issues relating to the protection of “reputation”| and “famous marks” in trademark law.

10. Discuss the legal issues relating to the parallel trade of pharmaceuticals in trademark law.