

**Plan of Improvement**  
**in relation to the**  
**recommendations from the audit of the Master's programmes**  
**Intellectual Property Law and Knowledge Management LL.M. and**  
**Intellectual Property Law and Knowledge Management M.Sc. of**  
**Maastricht University.**

**Introduction**

First of all, the management of the IPKM would like to express its gratitude for the genuinely impressive and diligent way in which the Audit Panel has worked in assessing the Master programmes IPKM and for the presentation of its findings. Despite the evident disappointment on the partly 'unsatisfactory' assessment, many of the points made by the panel are very positive and motivating. The comments of the panel were useful and will enable the IPKM Management Team (hereafter: MT) to strengthen and improve both programmes.

The following Plan of Improvement seeks to address the findings where 1) the Audit Panel has proposed improvements, and 2) where the Panel has found shortcomings.

According to the Audit Panel's conclusion (p. 27 Report on the master's programmes Intellectual Property Law and Knowledge Management LL.M. and Intellectual Property Law and Knowledge Management M.Sc. of Maastricht University, hereafter: Panel Report):

*"The panel finds it very unfortunate that the thesis and assessment system have a rather heavy weight in the assessment frameworks for the higher education accreditation system. The panel understands the reduced role given to the thesis on both programmes, but it remains part of the limited programme assessment. Currently, the panel has to conclude that the majority of the selected theses produced in both programmes do not achieve the bare minimum requirements, or would have been graded significantly lower by the panel. According to the panel, it is possible to achieve an academic level in the theses, even if they are worth only 6 EC. **And the necessary changes and improvement can in the panel's opinion be made quickly and straightforwardly.**"*

The plan of improvement will therefore address the areas in which the Audit Panel has found shortcomings resulting in an "unsatisfactory" conclusion in relation to Standard 3: the above-mentioned assessment policy, the thesis procedure and the thesis assessment standards. The structure of the plan of improvement starts with the panel's findings in relation to Standard 3 in the order presented on pages 10 and 11 of the Panel Report, and with reference to the more concrete points and suggestions described by the panel in the Standard 3 assessment presented on pages 22-26 of the Panel Report.

This means that the following points will be covered:

- Composition of the Board of Examiners;
- Proportional exam time for full-time vs part-time students;
- Review of guidelines for assessment of assignments;
- Introduction of instruction sessions on the use of legal English and methodology in structuring of legal texts;
- Language admission requirements;
- Number of in-house staff for the programmes;
- Thesis procedure (incl. dealing with drafts and deadlines);

- Thesis requirements and assessment criteria;
- Formalisation of relations with alumni associations;
- Staff.

### **Plan of Improvement:**

The following measures will be effective as of 1 September 2014.

#### **1. Composition of the Board of Examiners**

As noted the composition of the Board of Examiners was no longer balanced at the time of the audit due to the termination of other post-initial master programmes, resulting in the termination of members that until then provided a neutral quorum. The composition of the Board of Examiners has since been addressed and caters for:

- A chair who is not part of the IPKM MT, but is resident IPKM staff member;
- Two resident staff members of the IPKM, but not part of the IPKM MT;
- One member who acts as vice-director of the IPKM M.Sc. only; and
- One member who is not part of the IPKM..

The composition of the Board ensures that there is always a neutral quorum (3) to deal with exam issues. The director of the IPKM programme is furthermore excluded from membership of the Board of Examiners. A proposal to this effect has already been approved by the Faculty Board and will be effectuated upon approval by the Faculty Council as of 01-09-2014. These new rules were communicated to the members of the Audit Panel at an intermittent stage and found satisfactory. The following persons have meanwhile been appointed:

- Dr. Anke Moerland (chair);
- Mr. Dalindyebo Shabalala (member)
- Prof. Meir Pugatch (member)
- Dr. Cees Mulder (vice-director IPKM)
- Mr. M. Heckman (Principal Lecturer on International Economic Law, Hogeschool Zuyd)

As is clear from the above, Prof. Anselm Kamperman Sanders no longer has a double role as the director of the IPKM and member of the Board of Examiners.

#### **2. Assessment policy**

a) In relation to the assessment policy the panel calls for 'no more than one resit per exam', which is in fact in accordance with the current rules (see Annex 1, Exam Rules and Regulations 2014/15, Article 11):

*Article 11 - Scheduling and frequency*

*1*

*The student is given the opportunity to sit examinations twice a year at a date and time determined by the Examination Board: the first opportunity is immediately after the study unit and the second opportunity in the course of the academic year, if possible after completion of the following course period.*

*2*

*The examiner may determine, through indication in the course book or EleUM prior to the start of the course, that written and/or oral assignments carried out in the course of the curriculum are also part of the examinations.*

*3*

*In special cases, the Examination Board may decide that an examination will be sat at a time other than that determined according to Paragraph 1, or that an extra resit will take place.*

For most courses the final grade is determined through a variety of examination types in addition to a written exam, such as written assignments, presentations, cases studies, role-play and mock trials. Since this combination cannot always be replicated in a second opportunity, resit exams are usually conducted orally. Additional resit exams (the second resit, see Art. 11(3) above) can be offered at the discretion of the Examination Board *in special cases only*. This is sometimes necessary if a student faces hardship.

The Exam Rules and Regulation limit the number of resit opportunities per exam to one. Only in special cases can alternatives be offered.

b) The panel states that *full-time and part-time students should get the same amount of time for the same questions at the exam*. Since part-time students may take fewer classes during a given period, this is an issue of practical planning of exam locations, the number of exam components, and time for the answering of questions.

In order to address the concern of the panel, part-time students will be separated from the regular students and their time will be monitored proportionally to the exam components taken.

c) The Audit Panel advises to formalise the monitoring of free riding in relation to collective work on assignments. So far, students have been instructed to indicate whether they wish the assignment to be treated as a collective or an individual work. In case of a larger work with multiple parts they then have to indicate who is individually responsible for which part. The panel notes in relation to this procedure on p. 22 of the Panel Report that there are no complaints from students and alumni in relation to free-riding, which suggests that a revision and formalisation of the current guidelines should suffice.

Formal guidelines on the assessment of (group) assignments are twofold: 1) an updated set of instructions to students, and 2) assessment instructions for staff. The instructions for students were already present in the self-reflection presented to the Audit Panel, but have been revised for the coming academic year (See Annex 2). They now limit the group size for collective work and clarify the requirements for a collective work.

Formalisation of the instructions to staff have resulted in new "Guidelines for IPKM Teachers" (See Annex 2) that ask the (non-)resident teachers to grade the assignments according to the instructions provided to students following a common standard that recognises that the primary purpose of the assignments is to support the learning process in class.

### **3. Thesis Procedure**

The Audit Panel raised several issues with respect to the thesis procedure, such as thesis procedure, assessment and grading system, thesis preparation and delimitation between LL.M and M.Sc. theses.

According to the exam rules and regulations the LL.M. thesis as well as the M.Sc. thesis should contain between 8000 and 10,000 words. The theses are worth 6 EC, whereby one credit corresponds to 28 hours of work. The thesis accounts for 10% of the total mandatory course load of each master's programme. The following issues are addressed in the new thesis procedure that can be found in Annex 3 – IPKM Advanced Master's Thesis, Procedure and Regulations 2014/15:

- The inclusion in the curriculum of sessions addressing the use of legal English and methodology in structuring of texts in the first semester. These will be tailor-made sessions based on the Maastricht University's Language Centre offering on research writing for PhD candidates,

augmented by classes on legal methodology (See Annex 4 for a preliminary outline);

- The delimitation of LL.M and M.Sc. theses. For LL.M theses this means that the emphasis will predominantly be on, but not necessarily confined to, comparative IP litigation and knowledge management. For M.Sc. theses this means that the emphasis will predominantly be on, but not necessarily confined to, patent drafting, prosecution and knowledge management;
- The submission of theses' outlines and drafts in early January of the academic year;
- The management of the delivery of feedback in relation to outlines, oral defence thereof, and early drafts before the end of January;
- An oral defence of the final draft thesis in June;
- The submission of the final manuscript before 31 August.
- The use of the 'special circumstances' procedure (see Annex 1, Article 11) to ensure students can hand in a decent product after the deadline (see Annex 2, Articles 10-11).

#### **4. Thesis Assessment**

The Audit Panel raised several issues in respect of the thesis assessment standards. These are primarily the result of the application of the general faculty rules and regulations for 12 EC theses to the 6 EC IPKM theses. The panel concludes that as a result the theses do not match the assessment criteria and intended learning outcomes that the programmes have set out. For this reason new assessment criteria have been formulated that are unique to the IPKM. The IPKM Advanced Master's Thesis Procedure and Regulations 2014/15 and the Assessment Form Master's thesis IPKM (see Annex 3) address the following issues:

- The formulation of clear and uniform assessment standards by means of an assessment form that will inform students and assessors alike what the required level of the thesis is;
  - The introduction of a number of set feedback and assessment moments involving supervisors, peers, members of the Board of Examiners, and a second assessor: A presentation of the outline and initial drafts before a panel of peers and supervisors in January;
  - An oral defence in June before a forum consisting of the supervisor and two other staff members, among whom at least one member of the Board of Examiners;
  - Final grading by supervisor and second assessor.

#### **5. Language requirements**

The panel suggests the language admission requirements be raised. The language admission requirements will be changed according to the panel's suggestion to:

- An IELTS certificate (International English Language Testing System): at minimum overall score of 6.5 with no less than 6,5 in writing;
  - alternatively an overall score of 7 or higher.

Equivalent TOEFL or other language certificates can also be accepted (See Annex 1, Article 22).

#### **6. Alumni Association**

The panel advises that the current alumni messages on Facebook and LinkedIn, and their reunion meetings be formalised. With the support of the IPKM programme the alumni are presently seeking to establish an association under Dutch Law that will become the vehicle for future activities and outreach.

## **7. Staff**

The panel concludes on page 20 of the Panel Report that the programme is too dependable on one leading staff member. Since then another staff member has been hired. The IPKM resident staff now comprises five staff members at the faculty of law:

- one full-time (1,0 fte) staff member at professorial level acting as director;
- one part-time staff member (0,3 fte) at assistant professorial level acting as vice-director M.Sc.;
- one full-time (1,0 fte) staff member at assistant professorial level acting as chair of the Exam Committee;
- one half-time (0,5 fte) staff member at assistant professorial level;
- one part-time staff member (0,2 fte) at professorial level.

One further staff member at professorial level is employed full-time at the faculty of Health Sciences. It is foreseen that more resident staff members will be hired at the Faculty of Law to support the activities of the IPKM and related teaching in intellectual property law.

## **In conclusion**

The Audit Panel was by-and-large very positive about the master's programmes Intellectual Property Law and Knowledge Management LL.M/M.Sc., resulting in the scores of 'good' with respect to Standards 1 and 2.

For Standard 3, the composition of the Board of Examiners and the thesis procedure and assessment standards were the prime issues where the panels' criticism triggered the assessment framework for the higher education accreditation system's almost automatic response of mandating an unsatisfactory general conclusion.

In addressing all the concerns raised by the Audit Panel in this plan of improvement, the IPKM MT hopes to have satisfactorily met the Audit Panel's call for "necessary changes and improvement that can be made quickly and straightforwardly". It is indeed the case that all propositions in this plan of improvement will be effective as early as the start of the upcoming academic year 2014-2015. The IPKM MT therefore seeks the positive approval of the Audit Panel of this improvement plan, and as a result the continued accreditation of both programmes beyond the current expiration date of 14-07-2015.

Maastricht, June 2014

## Annex 1

### **Exam Rules and Regulations 2014/15**

Provisions changed after the panel report

#### Article 9

##### **Additional provisions regarding written assignments and theses**

1

The master's thesis referred to in Articles 7a and 7b, is mandatory and must complement the programme in terms of content.

The thesis shall be at least 8000 words in length. In case the thesis exceeds 10.000 words, approval of the supervisor is required.

2

The student chooses the topic of the thesis in consultation with the supervisor, and in line with the advanced master's thesis procedure and regulations available via the Academic Paper Dossier on the website. These regulations indicate further provisions on the procedure and deadlines for the master's thesis.

3

If one or more written assignments must be carried out as part of the programme, these assignments must be done individually unless the person responsible for the study unit concerned decides otherwise.

#### Article 11

##### **Scheduling and frequency**

1

The student is given the opportunity to sit examinations twice a year at a date and time determined by the Examination Board: the first opportunity is immediately after the study unit and the second opportunity in the course of the academic year, if possible after completion of the following course period.

2

The examiner may determine, through indication in the coursebook or EleUM prior to the start of the course, that written and/or oral assignments carried out in the course of the curriculum are also part of the examinations.

3

In special cases, the Examination Board may decide that an examination will be sat at a time other than that determined according to Paragraph 1, or that an extra resit will take place.

Article 22<sup>1</sup>

**English-language skills**

1

For all Advanced Master's Programmes English language proficiency must be demonstrated. The following evidence of proficiency in English will be accepted:

- a degree relating to an English-language bachelor's programme;
- An IELTS certificate (International English Language Testing System): at minimum overall score of 6.5 with no less than 6,5 in writing;
  - o alternatively an overall score of 7 or higher;
- An internet-based TOEFL certificate (Test of English as a Foreign Language): at minimum an overall score of 90 with no less than 23 in writing;
  - o alternatively an overall score of 100 or higher;
- a Cambridge certificate: CPE (Certificate of Proficiency in English) or CAE (Certificate in Advanced English) equivalent to the test above.

2

The Board of Admissions has the power to accept evidence of language skills other than those listed in paragraph 1, provided that these are comparable with regard to content and level.

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<sup>1</sup> Please note that the admission requirements are applicable with respect to candidates starting in September 2015.

## Annex 2

### **Assignment Instructions for IPKM Students**

Throughout the year the students are requested to prepare themselves for each and every class on the basis of prescribed assignments, mock trial briefs, presentations, or case studies. The assignments are due every Wednesday afternoon at 15:30 hrs and have to be uploaded in the electronic learning system (EleUM), from which they are sent to the (non-)resident teachers for evaluation.

Please note that collaborative work on IPKM assignments is encouraged, but fraud is not! Please observe the following:

The approach of handing in assignments as a group comprising no more than five persons is allowed, but only under certain stringent conditions:

- Every person involved has to upload his/her document in EleUM which clearly indicates with whom he or she has collaborated;
- In addition, it must be clearly indicated who is responsible for which part of the answer or that a group of persons together is responsible for the given answer.
- Relying on and simply copying answers from other students without your own involvement will be regarded as fraud.
- It is allowed to work together in a group of students while discussing the subject-matter of the question and then together formulate an answer. The intention of the teaching and handing in of assignments is: learning and finding the answers yourself. Attending classes and studying the subject of the teaching gives you a better understanding of the subject-matter. If you truly want to learn from each other, please work together in groups of different compositions for different assignments.

In structuring your assignments (and in answering exam questions), we expect to see the following at a minimum;

- Clear understanding of the facts before you;
- Clear understanding of the issues raised by the facts before you;
- Identifying the relevant venue and jurisdiction (international, EU, or national, including US);
- Identifying the applicable legal texts and provisions; (International, EU, or national, including US)
- Applying the legal standards, tests, requirements that you have identified to the facts and each of the issues/controversies placed before you.
- Stating the complaint/issue/question under the relevant legal provision.
  - Arguments for one position, supported by interpretation of the legal provisions, with reference to case law that provides support for that interpretation
  - Arguments against the position or defenses available, supported by interpretation of the legal provisions, with reference to case law that provides support for that interpretation.
  - Policy arguments for or against the position.
  - If addressed to a court, the relief you seek
- Stating finally what the conclusion should be and why.

Above all, be clear, systematic and analytical in preparation and prepare as you would for a presentation so that you are able to lead discussion in class, present your findings ad hoc, or in a (PowerPoint) presentation, and be able to take notes during class discussion that will help you deepen your understanding and prepare for the exam.



### **Addition on Assignments to the Guidelines for IPKM Teachers**

You are to evaluate the assignments, mock trial briefs, or case studies in line with the instructions given to students, based on the collective or individual work presented, taking into consideration for the purpose of grading that the assignments:

- are of a preparatory nature and should assist the student(s) to participate and make increasingly mature statements as to their position in class;
- should be used to invite discussion and individual class participation, evidenced by oral contributions, such as questions, comments, presentations, mock trials or role play; and
- should be evaluated based on the following factors:
  - The quality of the collective or individual written work submitted;
  - The individual oral contribution in class;
  - The learning curve displayed by the individual student.

## Annex 3

### **IPKM Advanced Master's Thesis Procedure and Regulations 2014/15**

#### **Article 1**

From the start of the academic year until Christmas, instructions will be given on how to write the thesis. Among other things the following issues will be dealt with:

- how to make a thesis outline;
- how to use footnotes and referencing;
- how to use legal English; and
- how to structure legal texts.

#### **Article 2**

In the second block period, students shall be informed on possible thesis topics and staff members available for thesis supervision. The topics will be closely related to the specific subject matter of the IPKM programme the student is enrolled in. For LL.M theses this means that the emphasis will predominantly be on, but not necessarily confined to, comparative IP litigation and knowledge management. For M.Sc. theses this means that the emphasis will predominantly be on, but not necessarily confined to, patent drafting, prosecution and knowledge management. Subsequently, the student informs the staff member of his/her choice.

#### **Article 3**

The student selects the topic and language for the master's thesis in consultation with a member of the teaching staff, the supervisor. The student registers in the digital Academic Paper Dossier, and the supervisor accepts supervision of the student through the Academic Paper Dossier. The student submits all further documents for correction, including the outline and the final version of the thesis, via the Academic Paper Dossier.

#### **Article 4**

Before Christmas, the student informs the programme director of the topic of his/her thesis and the name of the staff member who agreed to act as supervisor.

#### **Article 5**

In the second half of period 3, the student submits an outline of the thesis via the Academic Paper Dossier. Shortly thereafter students will orally present their outline to a forum of peers and supervisors. The exact timeline will be published at the beginning of the academic year.

#### **Article 6**

In the second half of June, a first final draft of the thesis must be submitted via the Academic Paper Dossier. Shortly thereafter, students will orally defend their draft thesis in front of a forum consisting of the supervisor and two other staff members, among whom at least one member of the Board of Examiners and one member who will act as second assessor. A preliminary assessment by means of the Assessment Form, which can be found as an annex to these regulations, is awarded afterwards, i.e.

- pass on condition of major revision only,
- pass with medium revision;
- pass with minor revision.

The exact timeline will be published at the beginning of the academic year.

#### **Article 7**

The final version of the thesis must be submitted via the Academic Paper Dossier by 31 August, midnight, at the latest.

By submitting the final version of the master's thesis via the Academic Paper Dossier, the student gives permission for it to be saved in a database used to track plagiarism.

#### **Article 8**

The supervisor acts as the first assessor in relation to the final version of the thesis and decides on a preliminary mark. In doing so, s/he takes into account the evaluation criteria listed in the Assessment Form, which can be found as an annex to these regulations.

#### **Article 9**

- a. After assessing the master's thesis, the supervisor forwards it to the second assessor.
- b. After receiving the second assessor's assessment, and within four weeks after the thesis was submitted, the definite grade for the thesis is announced. The master's thesis will be graded with a whole or a half mark on a 0-10 scale, in which 6 is the lowest passing mark.

- c. The student receives a notification via the Academic Paper Dossier when his grade has been announced.
- d. The supervisor signs a copy of the assessment form.
- e. The supervisor supplies the Exam Administration Office with the signed copy of the assessment form.

**Article 10**

If a master's thesis is given a 'fail' mark that is not below 5, the student has the opportunity to revise the thesis within two months after the 31 August deadline with due observance of the comments and corrections of the first and second assessors.

**Article 11**

- a. The first assessor re-assesses the revised master's thesis in consultation with the second assessor.
- b. The mark for a revised master thesis submitted after the 31 August deadline cannot be higher than a 6,5.

<b>Assessment Form Master's thesis IPKM</b>		Academic year:
<b>Faculty of Law Maastricht University</b>		
Name and surname student:		
ID-number:		
Programme: LLM   MSc		
Checked on Plagiarism:    yes   no		
Complies with formal requirements Education and Examination Regulations (art. 9) :        yes   no		
Title of thesis:		
Name supervisor:		
Name second assessor:		
Study load: 6 ECTS		
<b>CRITERIA</b>	assessor 1	assessor 2
<b>1. Structure</b>	u   s   as   g   vg*	agreed: yes   no*
<u>1.1. Introduction and Problem statement</u>	remark:	remark:
<i>introduction contains a clear problem statement</i>		
<i>the problem is introduced</i>		
<i>problem contains a point of view (if applicable)</i>		
<i>introduction contains a plan on tackling the problem</i>		
<u>1.2. Body</u>	remark:	remark:
<i>contains what is needed to get from problem to conclusion i.e.</i>		
<i>a) sections are directly connected to the problem</i>		
<i>b) all sections combined present a complete and sound argumentation (if applicable)</i>		
<i>only contains text that is necessary to support the conclusion</i>		
<i>section titles correspond with the content</i>		
<i>sections cover one (sub)theme only</i>		
<i>no fallacies</i>		
<u>1.3. Conclusion</u>	remark:	remark:
<i>is clear and unambiguous</i>		
<i>presents a complete answer to the problem</i>		
<i>no new facts nor new arguments are presented</i>		
<i>point of view is repeated, if necessary in an adapted form</i>		
<b>2. Content: Legal Relevance and Profundity</b>	u   s   as   g   vg	agreed: yes   no*
<i>content is related to the profile of the master</i>	remark:	remark:
<i>content is legally relevant</i>		
<i>content is legally correct</i>		
<i>level of profundity is at master's level, i.e. the student has: chosen a novel approach to the subject; or written a comparative thesis, comparing at least three countries; or added new insights to literature that was studied; or presented surprising contrasts in relation to literature or case law studied</i>		

<i>thesis shows that several relevant authors have been studied</i>	remark:	remark:
<i>student has combined insights found in relevant literature to a personal essay</i>		
<i>conclusion is relevant or interesting in view of the existing literature</i>		
<b>3. Use of Sources: Complete and Correct</b>	u   s   as   g   vg	agreed: yes   no*
<i>sources are referred to whenever required</i>	remark:	remark:
<i>sources have been interpreted correctly</i>		
<i>quotations are presented correctly</i>		
<i>footnotes are correct, consistent and complete</i>		
<i>bibliography is correct, consistent and complete</i>		
<i>list of sources is diverse</i>		
<b>4. Use of Language and Writing Skills</b>	u   s   as   g   vg	agreed: yes   no*
<i>sentences are grammatically correct</i>	remark:	remark:
<i>spelling is correct</i>		
<i>correct and wide vocabulary</i>		
<i>clear use of language</i>		
<b>5. Form and Layout</b>	u   s   as   g   vg	agreed: yes   no*
<i>clear layout</i>	remark:	remark:
<i>pages are numbered</i>		
<i>title page present</i>		
<i>clear type page</i>		
<i>number of words meets requirements</i>		
<b>6. Level of Independence</b>	u   s   as   g   vg	agreed: yes   no*
<i>level of supervision matches master's level, i.e. the work is done by the student</i>	remark:	remark:
<i>feed-back is processed adequately</i>		
<b>Assessment</b>		
1. Result of the oral defence	pass on condition of major revision only	
	pass with medium revision	
	pass with minor revision	
	explanation:	
2. a. Final judgment supervisor		agreed: yes   no
2. b. Final judgment second assessor	explanation:	
3. If relevant: remarks on plagiarism check		
Final assessment:	grade **	
Date		
Signature supervisor:	Signature second assessor:	

\* Indicate what's applicable:

u=unsatisfactory s=satisfactory as=amply satisfactory g=good vg= very good

\*\* Grades in whole or half on a scale of 1-10, in which 6 is the lowest passing grade.

A passing grade cannot be awarded if either of the items Content and Structure do not meet the minimum requirements.

#### **Elaboration of Grading Scale for IPKM Thesis**

10=Excellent

An excellent and exceptional piece, written independently. It displays originality and shows a well-defined argument and critical analysis. Structure and content are very well matched. Use of language is faultless, presentation is very clear and all formal requirements are met. Overall, the work is an outstanding academic piece with no shortcomings.

9=Very good

A sound piece of work, amply above average standard, written with hardly any supervision. It makes a logical and consistent argument and displays analytical reasoning and good use of evidence and/or exposition and accurate citations of all relevant authors. The work contains very few shortcomings such as incidental grammatical errors or unclear layout.

8=Good

The work contains the core of a good argument. All relevant material has been studied and correctly cited. Overall the piece shows substantial knowledge of the subject, but, for instance, grammar or layout show some errors.

7=Satisfactory

Overall a competent piece of work, with a structure that is reasonably articulated, but with

- minor shortcomings in substance, or
- some problems with grammar or citations.

6=Pass

Work is reasonably executed;

- main structure is logical but some subsections comprise too many issues or contain irrelevant material;  
or
- content is complete but contains some shortcomings in exposition and argumentation;

in addition there may be some problems with grammar or citations.

5=Close fail

Awarded to a performance which clearly fails to meet the Programme's requirement; it demonstrates some understanding of the material but

- exposition and argumentation are lacking in profundity; or
- relevant material has not been studied;

in addition there may be some problems with grammar.

4-0=Seriously inadequate

## Annex 4

### Draft outline sessions on ‘Legal English and Methodology’

The legal English component will be based on the Maastricht University’s language centre offering on research writing for PhD candidates. This will be tailor-made for the IPKM to include an introduction to legal methodology. It is expected that eight sessions can be offered before Christmas. Individual feedback on draft thesis chapters will be provided in the months April-May.

During these sessions students will learn to:

- structure their ideas in order to write clear sentences and cohesive paragraphs and to create ‘flow’;
- effectively use academic writing style characterized by precise, concise and formal language;
- use footnotes and referencing;
- report on previous literature and convey an assessment of the reported research; and
- express different functions in academic and scientific texts, such as defining, exemplifying, and comparing.

The methodology component will *inter alia* address the following issues:

- how to choose the legal systems to include in the research;
- identification of sources to be consulted;
- how to find the relevant materials;
- how to use online resources and legal databases;
- the identification of economic research that is useful in describing or understanding intellectual property law and innovation systems;
- how to describe the relationship between legal literature and case law; and
- how to deal with the interplay between international intellectual property law, EU law and the laws of the EU Member States.

Work forms

- In-session and homework tasks where students write their own text, review literature, improve and edit texts, identify elements in published articles, and practice advanced grammar;
- In each of these assignments students will be instructed in and asked to analyze the legal methodology that underlies the texts studied and draft their own research methodology when working on their own texts;
- The work will culminate in the writing up of an individual research question comprising the description of a clear research methodology and a short bibliography that can be submitted for thesis topic approval.

Based on the above, the learning objectives are formulated as follows:

Upon completion the student knows how to structure and write precise, concise and coherent scientific legal texts with a clear elaboration of the methodology used in the legal research undertaken. This is evidenced by the production of an individual research question comprising the description of a clear research methodology and a short bibliography that can be submitted for thesis topic approval.