

Besluit

Besluit strekkende tot het verlenen van accreditatie (na herstel) aan de opleiding wo-master Advanced Master in Intellectual Property Law and Knowledge Management LL.M. van de Universiteit Maastricht

Gegevens	
datum	Naam instelling : Universiteit Maastricht
29 juli 2016	Naam opleiding : wo-master Advanced Master in Intellectual Property Law and Knowledge Management LL.M. (60 EC) (postinitieel)
onderwerp	Varianten opleiding : deeltijd, voltijd
Besluit	Locatie opleiding : Maastricht
accreditatie wo-master	Datum aanvraag 1 : 8 juli 2014
Advanced Master in Intellectual	Datum goedkeuren
Property Law and Knowledge	Panel 1 : 16 december 2013
Management LL.M. van de	Datum eerste locatiebezoek : 27 en 28 februari 2014
Universiteit Maastricht	Datum eerste visitatierapport : 8 mei 2014
(004829)	Datum herstelplan : 3 juli 2014
uw kenmerk	Datum herstelbesluit NVAO : 28 november 2014
2016.10.0879-BL	Datum tweede locatiebezoek : 4 maart 2016
ons kenmerk	Datum tweede visitatierapport : 21 april 2016
NVAO/20161429/ND	Datum aanvraag 2 (na herstel) : 29 april 2016
bijlagen	
2	
	Instellingstoets kwaliteitszorg : ja, positief besluit van 16 mei 2013

Voorgeschiedenis

Op 8 juli 2014 ontving de NVAO van de Universiteit Maastricht een accreditatieaanvraag voor de opleiding wo-master Advanced Master in Intellectual Property Law and Knowledge Management LL.M. vergezeld van een paneladvies waarin de standaard 3 (toetsing en gerealiseerde eindkwalificaties) en daarmee het eindoordeel als onvoldoende zijn beoordeeld. De NVAO nam vervolgens op 28 november 2014 een besluit tot het verlengen van de accreditatietermijn (zogenoemd herstelbesluit) van de opleiding met een periode van 2 jaar, derhalve tot en met 27 november 2016.

Op 29 april 2016 ontving de NVAO een nieuwe accreditatieaanvraag vergezeld van een adviesrapport van een tweede panel, waarin de desbetreffende standaard nu positief is beoordeeld. Drie leden van het oorspronkelijke panel hebben zitting in het tweede panel. De opleiding heeft naar het oordeel van dit panel binnen de herstelperiode van twee jaar de nodige verbeteringen doorgevoerd voor de standaard 3. Het panel is van mening dat de opleiding na het doorvoeren van de verbeteringen voor deze standaard thans het vereiste niveau heeft bereikt.

- Artikel 5a. 12a. van de Wet op het hoger onderwijs en wetenschappelijk onderzoek (Stb. 2010, 293);
- Accreditatiebesluit WHW (Stb. 2011, 536);
- Beoordelingskader voor de beperkte opleidingsbeoordeling van de NVAO (Stcrt. 2010, nr 21523).

Bevindingen

De NVAO stelt vast dat in de visitatierapporten, in onderling verband gezien, deugdelijk en kenbaar is gemotiveerd op welke gronden het panel de kwaliteit van de opleiding goed heeft bevonden.

Advies van het eerste visitatiepanel (eerste beoordeling)

Samenvatting bevindingen en overwegingen van het panel (hierna ook: (audit) panel).

This summary provides an overview of the audit panel's findings and considerations regarding the master's programme Intellectual Property Law and Knowledge Management LL.M. of Maastricht University. The panel based its judgement on information acquired from the critical reflection, a number of selected theses, student portfolios, the interviews held during the site visit, additional reading material which was available during the site visit, and the digital learning environment. The panel found positive aspects as well as points for improvement. After careful consideration, it concludes that the master's programme Intellectual Property Law and Knowledge Management LL.M. does not satisfy the requirements for accreditation.

Standard 1

The audit panel argues that the master's programme Intellectual Property Law and Knowledge Management LL.M. clearly stands out in the domain-specific framework of reference. The programme has a profile in which lawyers and scientists come together, and issues are approached from a knowledge management angle as well as from an intellectual property law perspective. The panel considers the programme to be unique in Europe. The panel states that the programme is embedded in an excellent international network, which includes the epi network, the Office for Harmonization for the Internal Market (OHIM) and the Institute of European Studies of Macau, which contributes to their international reputation. It believes that the programme has successfully moved towards a professional orientation, and advises the management to reflect on this orientation more clearly. In the honours programme, a more academic orientation is applicable. The intended learning outcomes are straightforward, well formulated and clearly identify what students require. In addition, the panel states that the intended learning outcomes target the correct professional and academic level.

Standard 2

The master's programme Intellectual Property Law and Knowledge Management LL.M. has constructed a great teaching-learning environment according to the audit panel. It states that the programme has a very well structured and coherent curriculum. The only suggestion the panel has regarding the curriculum of the programme is to include scientific legal methodology and an elaboration on the structuring of texts in the beginning. It argues that this will help students in writing their thesis in period 6. The intended learning outcomes are clearly embedded in the courses, and the panel believes that Dublin descriptors 2, 3, and 4 are the three cornerstones of the development of the programme: they seek

Pagina 3 van 7 complexity, they foster critical understanding of intellectual property, and cooperation is greatly valued. The panel is of the opinion that the profile of the programme, the intended learning outcomes and the courses are systematically entwined. The Problem-Based Learning didactic concept further serves this symbiosis, by stimulating discussions in class, pushing students to drive the learning process, and forcing students to interact with each other. The panel asserts that the teaching formats adequately fit the teaching concept, and is satisfied with student's access to the Maastricht Internet Law Library. The course load and feasibility also fulfil the panel's expectations, and it is pleased to see that the teaching staff is approachable and that students actively help each other during group assignments.

The international character of the programme is perceived positively by the panel. The programme is extremely internationally oriented, is embedded in excellent international intellectual property law networks, and has a great international reputation. Unsurprisingly, the programme attracts many international students, who are very motivated and dedicated to their studies. The panel could only detect one weaker element in this internationalisation process: it noted that although students need to fulfil basic language requirements, several of them have not mastered the English language sufficiently to express themselves fully on paper. The management already advises those students to subscribe for English language courses at the university. While the panel finds the intake numbers and the admission criteria adequate, it advises raising the language requirements in the near future.

Regarding the staff members involved in the master's programme, the panel can only conclude that they are excellent teachers. Due to their participation in international networks and their good reputation, the programme attracts some of the most famous names in the field to assist as non-resident staff members in the courses. Attention is paid to the consistency in the courses, and students and alumni consider the resident as well as non-resident staff members very approachable. The audit panel considers the student-teacher ratio to be rather high, but holds that this does not have any negative consequences for the programme. However, it advises recruiting one more full-time staff member soon, as the programme currently depends heavily on one leading person. The panel states that the programme-specific quality control is well organised.

Standard 3

The audit panel has some serious concerns regarding the assessment policy and the achieved learning outcomes of the master's programme Intellectual Property Law and Knowledge Management LL.M.

First, the current situation of the Board of Examiners is undesirable: its three members are at the same time first and second supervisors in many thesis projects. Since the composition of the Board of Examiners is forced upon the master's programme, the panel can only stimulate the faculty to implement the proposed changes as soon as possible.

Second, the panel raises some issues about the assessment policy. It states that there should be no more than one re-sit per exam, that full-time and part-time students should get the same amount of time for the same questions. The panel considers it advisable to monitor the risk of free-riding as part of a formal approach. It stresses the importance of having formal guidelines of how to assess group assignments while at the same taking the individual contributions into account.

Pagina 4 van 7 Third, the panel is not convinced by the thesis procedure as it functions at the moment. It advises the management to utilise the special circumstances procedure when needed, and to keep close track of the students' progress to avoid them exceeding the terms. This also means that the teaching staff should provide prompt feedback on drafts.

Finally, the panel concluded that more than 10% of the selected theses of master's programme was unsatisfactory. Although many students enrolled in the programme already have a master's or even a PhD degree, the level of some theses was a bare pass even for an undergraduate level. In addition, the panel graded nearly all selected theses 1.5-2 points lower than the thesis supervisors. The extra student portfolios of five students did not convince the panel that the students were sufficiently trained in academic writing through the courses, nor that all students showed an obvious learning curve. Furthermore, the panel finds it rather peculiar that there are no differences in the assessment standards of the LL.M. and M.Sc. theses. It could not make a clear distinction between theses of both programmes. Hence, the panel recommends that the management reviews the thesis assessment standards, paying extra attention to scientific legal methodology and structuring of texts in the curricula, and raise the language admission requirements.

Fortunately, the panel is enthusiastic about the opportunities for graduate students in the labour market. From the interviews with alumni it became clear that the master's programme was considered very useful, and that many students have strengthened their position in the international labour market. Notwithstanding the efforts to reunite alumni, the panel recommends the creation of formal alumni associations.

Advies van het tweede visitatiepanel (beoordeling gerealiseerd herstel)

This report describes the panel's findings and considerations of the reassessment of the master programme Intellectual Property Law and Knowledge Management LL.M. The programme was granted an improvement period by the NVAO to allow for the implementation of the improvement measures as described in the approved Plan of Improvement (June 2014). The panel sustains its judgement of the standards 1 and 2 in the initial assessment report.

During the improvement period the programmes implemented measures to rebalance the composition of the Board of Examiners; the programmes updated their assessment policy with regard to exam resits and the exam times for part-time students. The thesis procedure, assessment and grading system were reconsidered and restructured and a new thesis assessment form was introduced. The reassessment panel appreciates the measures listed above. It is convinced that these measures have resulted in an adequate assessment system. The programme has shown that it now has an adequate assessment policy and thesis procedure in place.

The panel studied all theses and the corresponding assessment forms that were delivered during the improved period for the programme. It established that the graduated students have achieved the intended learning outcomes and perform on a high level. The 2014 panel assessed standard 1 and standard 2 as good. The panel is very enthusiastic about the programmes and is glad that it can express this enthusiasm in the general assessment 'good' for both programmes.

Pagina 5 van 7 **Besluit**

Ingevolge het bepaalde in artikel 5a.10, derde lid, van de WHW heeft de NVAO het college van bestuur van de Universiteit Maastricht te Maastricht in de gelegenheid gesteld zijn zienswijze op het voornemen tot besluit van 6 juni 2016 naar voren te brengen. Bij e-mail van 22 juni 2016 heeft het college van bestuur ingestemd met het voornemen tot besluit.

De NVAO besluit accreditatie te verlenen aan de postinitiële wo-master Advanced Master in Intellectual Property Law and Knowledge Management LL.M. (60 EC; varianten: deeltijd, voltijd; locatie: Maastricht) van de Universiteit Maastricht te Maastricht. De NVAO beoordeelt de kwaliteit van de opleiding als goed.

Dit besluit treedt in werking op 28 november 2014 en is van kracht tot en met 27 november 2020.

Den Haag, 29 juli 2016

De NVAO

Voor deze:



R.P. Zevenbergen
(bestuurder)

Tegen dit besluit kan op grond van het bepaalde in de Algemene wet bestuursrecht door een belanghebbende bezwaar worden gemaakt bij de NVAO. De termijn voor het indienen van bezwaar bedraagt zes weken.

Uit besluit van 28 november 2014

Onderwerp	Standaard	Beoordeling door het panel
1. Beoogde eindkwalificaties	De beoogde eindkwalificaties van de opleiding zijn wat betreft inhoud, niveau en oriëntatie geconcretiseerd en voldoen aan internationale eisen	Goed
2. Onderwijsleeromgeving	Het programma, het personeel en de opleidingsspecifieke voorzieningen maken het voor de instromende studenten mogelijk de beoogde eindkwalificaties te realiseren	Goed
3. Toetsing en gerealiseerde eindkwalificaties	De opleiding beschikt over een adequaat systeem van toetsing en toont aan dat de beoogde eindkwalificaties worden gerealiseerd	Onvoldoende
Eindoordeel		Onvoldoende

Beoordeling na herstel

Standaard	Standaard	Beoordeling door het panel
1. Beoogde eindkwalificaties	De beoogde eindkwalificaties van de opleiding zijn wat betreft inhoud, niveau en oriëntatie geconcretiseerd en voldoen aan internationale eisen	-
2. Onderwijsleeromgeving	Het programma, het personeel en de opleidingsspecifieke voorzieningen maken het voor de instromende studenten mogelijk de beoogde eindkwalificaties te realiseren	-
3. Toetsing en gerealiseerde eindkwalificaties	De opleiding beschikt over een adequaat systeem van toetsing en toont aan dat de beoogde eindkwalificaties worden gerealiseerd	Goed
Eindoordeel		Goed

De standaarden krijgen het oordeel onvoldoende, voldoende, goed of excellent. Het eindoordeel over de opleiding als geheel wordt op dezelfde schaal gegeven.

Panel eerste beoordeling en beoordeling herstelplan

- Prof. dr. P.L.C. (Paul) Torremans, chair, professor of Intellectual Property Law at the University of Nottingham, and advisor and consultant to the WIPO Academy;
- Dr. D. (Derk) Visser, partner EIP IIP, contributor to Kluwer Patent Law website at Kluwer Law International, and lecturer European Patent Law at CEIPI;
- Dr. Ir. T. (Tony) Tangena, founder and partner at Tangena & Van kan and president of epi;
- Prof. dr. M. (Manuel) Desantes, professor of Private International Law at the University of Oviedo and Alicante, and member of the counsel of ELZABURU;
- R. (Rosa) Kindt, BSc., student member, Legal Research Master student at Utrecht University.

Het panel werd ondersteund door J.J. (Jasne) Krooneman MSc secretaris (gecertificeerd).

Panel beoordeling gerealiseerd herstel

- Prof.dr. P.L.C. (Paul) Torremans, chair, professor of Intellectual Property Law at the University of Nottingham, and advisor and consultant to the WIPO Academy;
- Dr. D. (Derk) Visser, partner EIP IIP, contributor to Kluwer Patent Law website at Kluwer Law International, and lecturer European Patent Law at CEIPI;
- Prof.dr. M. (Manuel) Desantes, professor of Private International Law at the University of Oviedo and Alicante, and member of the counsel of ELZABURU.

Het panel werd ondersteund door dr. B.M. van Balen, secretaris (gecertificeerd).