



LL.M. in European Competition and IP law

Master complémentaire
en droit européen -
droit de la concurrence
et de la propriété intellectuelle

Disclaimers

The information presented is subject to changes. Applicants are therefore invited to consult the website of the Institute for European Legal Studies at www.ieje.net, or to contact the Institute for up-to-date information.

“LL.M.” is a generic term for any Master of Laws or any advanced academic degree in law. The diploma officially delivered by the academic authorities of the University of Liège is a «Master complémentaire en droit européen - droit de la concurrence et de la propriété intellectuelle».



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› FOREWORD

The market for Competition and Intellectual Property («IP») lawyers is booming. In 2004, the University of Liège created an Advanced Master programme (LL.M.) in European Competition and IP law to bridge the gap between general legal studies and the ever-increasing demand for specialist legal professionals.

Tailored to the needs of the profession, the Master in European Competition and IP law provides practical training so that students are prepared for immediate entry into a demanding, international workforce. In addition to a comprehensive teaching programme, offering multi-disciplinary training, the LL.M. provides students with a wide-range of skills and assistance (e.g. drafting their CV, securing internships, and publishing their work, ...). Thanks to its proximity to Brussels and the European Institutions, the course boasts a team of eminent practitioners and academics in the field. Reflecting our concern for an international teaching approach, lectures are in both French and English.

In Brussels and throughout Europe, our alumni provide expert advice in the fields of intellectual property, competition and business law. Our previous students now hold positions as specialized lawyers, officials of national and European competition authorities, IP and regulatory authorities, specialist consultants and researchers.

Prof. N. PETIT, *Director of the LL.M. Programme*



› THE LL.M. IN A NUTSHELL

The LL.M. in European Competition and IP law offers:

- A full set of cutting-edge courses in IP and competition law, taught by international specialists and leading practitioners ;
- A unique bilingual programme (French/English), in line with the minimum language requirements of most International Organizations (European Commission, EU Court of Justice, ...);
- Seminar sized groups of students ;
- Interactive lectures, based on reading assignments, comments and discussion ;
- A complete choice of conferences and workshops focusing on hot legal topics ;
- Opportunities for summer placement in law firms ;
- Networking opportunities with many legal professionals ;
- Possibilities for students to author case notes in the online law journal e-Competitions (www.concurrences.com).

› GENERAL OVERVIEW

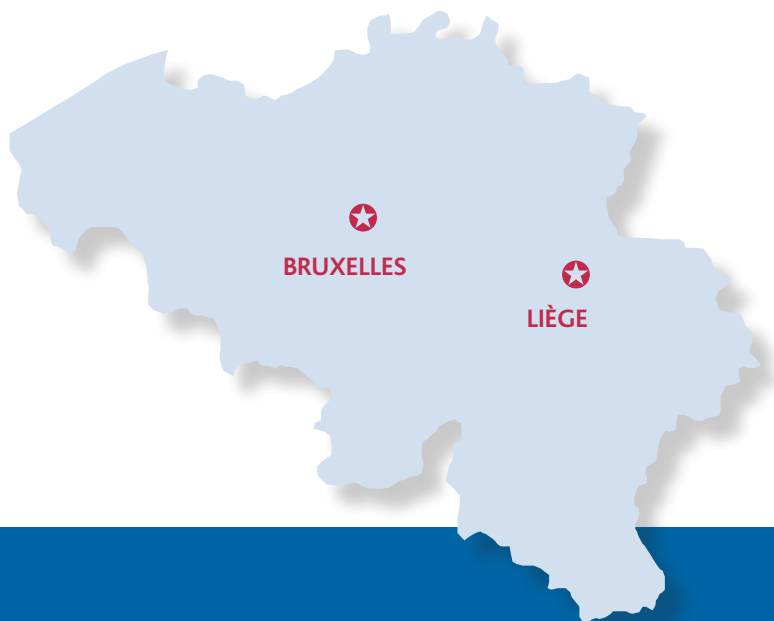
The University of Liège

Founded in the XIXth Century, the University of Liège (ULg) is one of Belgium's largest universities with approximately 18.000 students and 2.800 researchers and scholars.

The university campus is located in the outskirts of the city. Getting to the city centre is simple – regular public buses travel to and from the city centre in approximately 15 minutes. Close to the city centre yet in a peaceful environment, the campus provides ideal surroundings for academic achievement.

Location

The city of Liège is located in the heart of Europe. It has a state of the art railway station and offers a high speed rail network linking the city to Europe – Brussels (90km), Antwerp (120km), Cologne (120km), Luxembourg (140km), Amsterdam (340km), Paris (380km) and London (430km), while Maastricht is only a stone throw away.



The Institute for European Legal Studies (« IEJE »)

The LL.M. in European Competition and IP law is organized under the auspices of the IEJE, an international research centre dedicated to European law.

The Institute was previously chaired by, and has hosted, many renowned EU law specialists (F. Dehousse, P. Demaret, R. Joliet, P. Pescatore, S. Van Raepenbusch and M. Wathelet). Five of its former professors and members have been appointed Judges of the European Court of Justice.

The IEJE is composed of 3 professors, 2 PhD candidates, 4 research assistants, and 2 research fellows. It hosts a European Documentation Centre (EDC). The library is certified by the European Commission (Directorate-General for Education and Culture). Through this channel, the Institute benefits from a privileged access to EU databases.

Student group

Each year, the LL.M. is attended by a group of 25 to 30 students (maximum number of enrolled students). The seminar size of the LL.M. student group ensures high-quality training conditions, fosters emulation through discussion and provides the ideal environment to create a convivial, friendly atmosphere between the students.

A majority of our students originates from Belgium and Western Europe. This being said, each year, the LL.M. welcomes foreign students from Eastern Europe, South America or Asia.

Faculty

The LL.M. faculty is composed of internationally renowned experts in the field of competition and IP law. In order to guarantee that the training offered to our students is practice-oriented, most of the professors have a practical experience, acquired in prestigious law firms, companies or public institutions.

The LL.M. faculty is also a true international team, characterized by the plurality of origins and backgrounds of its members, who come from various countries such as Belgium, France, Germany, the Netherlands, Canada and the United-States.



› COURSES

This LL.M. does not offer a mixture of disparate courses in European law. On the contrary, a unique feature of this programme is to offer students an opportunity to acquire professional skills in two highly specific fields of law.

The duration of the programme covers a period of one year (60 ECTS-credits). Students may however split the LL.M. programme over a period of two years. The academic year takes place over two periods of 4 months, named "quadrimesters". The first quadrimester runs from September to December. It is followed by an exam session in January. The second quadrimester runs from February to May. It is followed by an exam session in June. Students graduate normally in June. They may, however, graduate in September, should they decide to write their dissertation during the summer.

Compulsory courses (315 hours - 40 credits)

	HOURS	CREDITS
• Droit européen de la concurrence <i>Nicolas Petit</i>	60h	6
• Aspects économiques du droit de la concurrence <i>Nicolas Petit</i>	30h	4
• Droit des marques <i>Jean-Jo Evrard</i>	30h	4
• Patents (+ exercices 15h) <i>Geertrui Van Overwalle</i>	30h	5
• Trade Related Aspects of Intellectual Property Rights in the EU and the WTO (+ exercices 15h) <i>Daniel Gervais and Norman Neyrinck</i>	30h	5
• Droit des aides d'Etat <i>Jacques Derenne</i>	30h	4
• Droit d'auteur et nouvelles technologies <i>Alain Strowel</i>	45h	5
• Intellectual Property and Competition Law <i>David Hull and Alain Strowel</i>	30h	4
• Questions spéciales de droit européen de la concurrence <i>Jean-Yves Art and Jean-François Bellis</i>	15h	2
• Legal Writing Seminary <i>Andrew Fine</i>	15h	1

Optional courses (50 hours – 5 credits)

	HOURS	CREDITS
Students select one course between:	30h	3
• EU Competition Procedure and Institutions <i>Nicolas Petit</i>		
• Case Studies in EU Competition Law <i>Luc Gyselen</i>		

Students select two courses amongst:	20h	2
• Designs <i>Charles-Henry Massa</i>		
• Droit des medias <i>François Jongen</i>		
• IP Enforcement <i>Christof Karl</i>		

Master's thesis + workshops (15 credits)

The Master's thesis module covers :

- The obligation to take part to 5 of the 10 workshops organized on competition or IP law topics.
- The writing of a Master's thesis (coordination: R. Munoz - 6h).

Subject to approval from the LL.M. Director, students may be allowed to substitute the writing of their Master's thesis by a two-month traineeship.

Workshops 2010-2012 (Each workshop has a duration of 6 hours)

- The Law of Geographical Indications, Quality Labelling and Certification - E. De Gryse (Simon Braun)
- Unfair Competition Law – A. Kamperman Sanders (University of Maastricht)
- IP Protection for Biotechnologies and Other Technologies - S. Bostijn (University of Amsterdam)
- Related Rights - F. Brison (Howrey and KUB)
- Intellectual Property and Innovation Technologies Management – J.-F. Serrier (Solvay)
- The Regulation of Counterfeited Goods - R. Munoz (European Commission and ULg)
- Introduction to US Antitrust Law - D. Hull (Covington and Burling)
- Selected Questions of Private International Law in Relation to Intellectual Property Rights - P. Wautelet (ULg)
- Pharmaceutical Industry - O. Lemaire (Glaxo)
- WTO Law & Intellectual Property and Competition Issues - D. Luff (Luff and Appleton)
- Introduction to Belgian Competition Law – C. Verdonck (Altius)

Droit européen de la concurrence

Nicolas Petit

Le droit européen de la concurrence s'est imposé comme l'une des disciplines juridiques les plus importantes pour le monde des affaires dans son ensemble (avocats praticiens, conseillers juridiques, mais aussi directions exécutives, etc.). Les amendes qu'infligent les autorités de concurrence dépassent désormais le milliard d'euros. Les opérateurs se voient par ailleurs imposer de lourdes mesures correctives, qu'il s'agisse de cessions d'actifs, de licences obligatoires, etc. Bref, le risque juridique lié à l'application du droit européen de la concurrence ne peut plus être négligé par les opérateurs économiques. Certaines entreprises ne s'y trompent d'ailleurs pas. Le droit de la concurrence se trouve de plus en plus instrumentalisé, au point de devenir un véritable outil de stratégie indus-

trielle et commerciale permettant de gagner un avantage compétitif sur le marché.

L'objectif de ce cours est de permettre aux étudiants d'acquérir une maîtrise complète du droit européen de la concurrence. Ce cours étudie le droit et la jurisprudence des ententes illégales, de l'abus de position dominante et du contrôle des concentrations. Une attention particulière est également portée aux questions de droits spéciaux et exclusifs, à la situation des entreprises publiques, au droit des aides d'Etat, aux oligopolles, et aux questions de droit institutionnel.

Le cours suit une approche originale de la matière, faisant appel à l'analyse juridique et économique, à des éléments de droit comparé (droit interne aux Etats membres et droit américain), et s'appuyant sur de nombreux exemples pratiques, permettant aux étudiants de découvrir, et débattre du fonctionnement d'un grand nombre d'industries et de secteurs.

Aspects économiques du droit de la concurrence

Nicolas Petit

A l'heure de l'interdisciplinarité, ce cours offre aux étudiants d'acquérir le bagage économique requis pour comprendre, analyser, puis critiquer la mise en œuvre du droit de la concurrence.

Dans un premier temps, le cours offre une introduction générale à la science économique (théories économiques classiques et néoclassiques, et concepts clefs – monopole, oligopole, défaillance de marché, coûts

de transaction, théorie de l'agence, monopole naturel, politiques publiques, etc) et de ses instruments (notions de bien-être, efficacité économique, notions de coûts, prix, barrières à l'entrée, etc). Ensuite, le cours étudie les trois grands types de comportements stratégiques susceptibles d'altérer la concurrence entre entreprises : l'acquisition de pouvoir de marché (au travers de fusions horizontales, verticales ou conglomerates), le renforcement du pouvoir de marché (ou tactiques d'exclusion des entreprises rivales) et l'exploitation du pouvoir de marché (cartels, discrimination tarifaire et prix excessifs).



NICOLAS PETIT

Nicolas Petit is Director of the LL.M. in European Competition and Intellectual Property Law, co-Director of the Institute for European Legal Studies and Director of the Global Competition Law Centre ("GCLC") of the College of Europe. He is Professor of Law at the University of Liege, Belgium, and Visiting Professor at the EDHEC Business School, Lille, France.

Nicolas Petit was formerly an Associate at Howrey LLP, Brussels and served as a Clerk at the Commercial Chamber of the French Supreme Court. Whilst working as a practitioner, he advised on a range of cases involving Article 101 TFEU (agreement or concerted practices restricting competition), Article 102 TFEU (abuse of dominance) and the EU Merger Regulation in particular in cases involving high-tech industries and ICT companies.

Prof. Petit holds a PhD in law (2007) which was prized both by the review *Concurrences* and by the International League of Competition Law (LIDC). In 2009, he was appointed International Reporter of the LIDC. In 2005 he was selected to become a member of Harvard Law School's visiting researchers programme. In addition to this, Prof. Petit is a member of the editorial board of the law review *e-Competitions*, senior editor of the online magazine *Antitrust Chronicles*. He is the founder of the weblog *Chillin'Competition* (www.chillincompetition.com).

Droit des marques

Jean-Jo Evrard

Ce cours propose un enseignement complet du droit des marques. Via l'examen de cas pratiques didactiques, les étudiants sont menés à une discussion approfondie des éléments constitutifs des marques, ainsi que des différentes étapes de la procédure devant être suivie pour permettre l'enregistrement d'une marque devant l'Office d'Harmonisation du Marché Intérieur (OHMI).

Le cours examine les prérogatives que confère une marque à son titulaire. Il aborde également les problèmes de révocation, d'invalidité et de dégénérescence des marques. Une attention spéciale est accordée aux questions de commerce parallèle et de mise en œuvre du droit des marques. Un accent tout particulier est mis sur la tactique judiciaire et les différentes voies d'actions ouvertes au praticien.

Le cours aborde plusieurs questions d'actualité, telle que la protection de marques non-traditionnelles (musiques et sons) ou l'enregistrement d'indications géographiques. Il met également en perspective les conflits pouvant survenir entre le droit des marques, le droit d'auteur et le droit des brevets.



JEAN-JO EVRARD

Jean-Jo Evrard is a practicing lawyer, member of the Brussels and Paris Bars. He focuses on intellectual property, unfair competition and distribution law. Jean-Jo

Evrard has experience in all aspects of IP litigation, particularly trademarks. He has also appeared frequently before the French courts in intellectual property and unfair competition matters.

Over the last few years, Jean-Jo Evrard has developed and coordinated European-wide trademark defense strategies for large trademark holders. During his years of practice, he discerned a need for a compilation of all European trademark-related decisions. To this end, he created the electronic database Darts-IP. He was awarded 'Best contribution to Trademark practices' by Worldleaders in 2004.

Jean-Jo Evrard is a member of the Paul Roubier Center, France, and a member of various international IP associations. He has authored and co-authored various articles and books on IP protection and enforcement.

Patents (exercises included)

Geertrui Van Overwalle

The objective of this course is to provide an in-depth analysis of the European patent law system. To this end, following an introduction on the ratio legis of the patent protection, emphasis is put on the notion of invention and the four patentability requirements (novelty, inventive step, industrial applicability and public disclosure), the study of which is made on a case study basis, from practical, didactic exercises.

The course is also targeted at offering some practical training in patent claim drafting and patent prior art search. It deals, in turns, with the thorny issues of infringement and enforcement of patent rights. A specific attention is given to the issues of exhaustion, international enforcement, and judicial disparities within the European Union.

In addition, a selection of various topical features of patent law is highlighted, among which American patent law, traditional knowledge protection, and plant breeders' rights.



GEERTRUI VAN OVERWALLE

Geertrui Van Overwalle is Professor at the Universities of Leuven (Center for Intellectual Property Rights – KUL) and Liège (ULg), Belgium.

She has recently been appointed Professor of Patent Law and New Technologies at the University of Tilburg, the Netherlands. She has been visiting Professor at the United Nations University and at the Monash University, Australia.

Professor Van Overwalle holds an internationally reputed expertise on the patenting of human genes and human stem cells. She has developed a large knowledge on the technicalities of patent registration, and on the issues of drug patents, public interest and public health.

Professor Van Overwalle is a member of the Belgian High Council for Intellectual Property and of the Belgian Council for Bioethics. She is also a member of the European Commission's Expert Group on Biotechnological Inventions.

Geertrui Van Overwalle has authored numerous articles and monographs in the field of patent law in a national and international context. Her main fields of research are patent law, plant breeder's rights law, patents and biotechnology, IP and biodiversity, IP and ethics.

Trade Related Aspects of Intellectual Property Rights in the EU and the WTO (exercises included)¹

Daniel Gervais & Norman Neyrinck

The aim of this course is to provide a comprehensive understanding of the complex relationship between intellectual property rights and international trade, at both EU and international level.

This course thus places a primary emphasis on the study of the Agreement on Trade-Related Aspects of Intellectual Property Rights (the «TRIPS Agreement»), concluded in the framework of the World Trade Organization («WTO»). It first reviews the drafting history of the Agreement, and then turns to the question of international harmonization of IP rights and its impact on developing countries. In this context, a specific focus is placed on exhaustion, the international enforcement of IP rights and the global litigation process.

Finally, specific sessions will be devoted to the study of the Doha Declaration and the relationship existing between TRIPS, pharmaceuticals and public health, or the relationship between Intellectual Property rights and Human rights.

¹ Note for the 2010-2012 academic years: the teachers reserve the right to set aside the EU aspects of the course to focus on international issues.



DANIEL GERVAIS

Daniel Gervais is Professor at the Vanderbilt Law School, United States. He focuses on international intellectual property law. Professor Gervais currently

serves as a panelist at the Arbitration and Mediation Centre of the World Intellectual Property Organization (WIPO). He practiced law in Montreal as an associate with Clark Woods and later as a partner with the technology law firm BCF.

Professor Gervais was a consultant and legal officer with the World Trade Organization, where he was actively involved in the TRIPS Agreement negotiations and was a consultant with the Paris-based Organization for Economic Cooperation and Development (OECD). In 1992, he joined WIPO, where he prepared studies and international meetings on the impact of digital technology on copyright and neighboring rights. Professor Gervais has been Assistant Secretary General of the International Confederation of Societies of Authors and Composers (CISAC), and, in 1997, moved to the United States to become director of international relations at the Copyright Clearance Center (CCC), the largest reprographic rights organization in the world. He also chaired the sectoral work on culture, communications and information at the Canadian Commission for UNESCO.

Daniel Gervais has been a visiting professor at the Universities of Grenoble, Montpellier and Nantes, France; at the University of Haifa, Israel; and at the University of Puerto Rico. He has been a visiting scholar at Stanford Law School, USA. He is a visiting lecturer at the University of Amsterdam, Netherlands, and has lectured at the Institute of European Studies of Macau, China.

He currently serves as editor-in-chief of the peer-reviewed *Journal of World Intellectual Property*.

Droit des aides d'Etat

Jacques Derenne

Ces dernières années, la Commission européenne a exprimé à de nombreuses reprises la volonté de réorienter l'intervention des Etats dans l'économie et de raffermir le contrôle des aides d'Etat. Dans l'intervalle, la crise économique est cependant venue contraindre les gouvernements à s'impliquer dans le fonctionnement des marchés et à accorder des aides massives au secteur privé. Ce cours offre aux étudiants l'opportunité d'acquérir les outils nécessaires à la compréhension de la crise économique et de discuter le rôle de l'Etat au sein de l'économie de marché.

Le cours propose une étude approfondie du contrôle des aides d'Etat en droit européen. Il traite d'abord de la notion d'aide d'Etat, telle qu'interprétée par la Cour de Justice de l'Union européenne. Une attention particulière est accordée à la notion de Service d'Intérêt Economique Général (SIEG). Sont ensuite examinées les conditions dans lesquelles une mesure d'aide peut néanmoins être acceptée – exemptée – au regard des instruments élaborés par la Commission européenne. Enfin, le cours met l'accent sur les questions de mise en œuvre, discute les différentes stratégies ouvertes aux concurrents victimes d'une aide d'Etat et souligne l'importance du rôle du juge national pour assurer le respect du droit européen.



JACQUES DERENNE

Jacques Derenne is a Partner at Hogan Lovells. He heads the Antitrust, Competition and Economic Regulation practice of the Brussels office. He is a member of the Brussels and Paris Bars.

He has been advising in Brussels since 1988 on all aspects of competition law (mergers, cartels, abuses of dominance and State aid) and of EU law. He advises in a variety of sectors such as: the postal sector, telecoms, aviation, energy, railways, tobacco products. He regularly appears in competition cases before the European Commission and pleads cases before the Court of Justice of the European Union as well as before national competition authorities.

Jacques Derenne co-directed a seminal study published by the European Commission on the private enforcement of State aid rules at national level. He co-edited the book *Economic analysis of State aid rules - Contributions and Limits*, and has widely published on EU competition law, in particular State aid and regulatory issues.

Jacques Derenne is a graduate from the University of Liège and from the College of Europe, Belgium. He is a founding member of the Global Competition Law Centre (GCLC – College of Europe) and is a member of its Scientific Council and of its Executive Committee.

Droit d'auteur et nouvelles technologies

Alain Strowel

Ce cours s'intéresse aux aspects nationaux et internationaux du droit d'auteur et des droits voisins. Il traite, au travers d'exemples concrets, des éléments constitutifs du droit d'auteur (forme et originalité), et de leur application aux différents types de créations (livres, films, musiques, ...). Il analyse également les prérogatives économiques et morales dont l'auteur peut se prévaloir pour faire obstacle à l'usage de son œuvre, et discute les exceptions que les usagers peuvent lui opposer (copie privée, exception pour recherche scientifique, libre citation, parodie, ...). La question de la gestion collective des droits est également abordée. Les règles continentales du droit d'auteur sont constamment mises en perspectives avec le droit anglo-saxon du copyright.

L'avènement de l'ère du numérique a créé le besoin de nouvelles formes de protections juridiques. En conséquence, les mécanismes de protection des programmes d'ordinateurs et des bases de données font l'objet d'une étude particulière. Enfin, le cours offre un aperçu de diverses problématiques liées à l'utilisation d'Internet, telles que la protection des noms de domaines et la responsabilité des fournisseurs de services internet (FSI) (hébergeurs, moteurs de recherche et fournisseurs d'accès) pour violation en ligne du droit de la propriété intellectuelle.

Le cours comprend une analyse de la jurisprudence et une introduction au droit des contrats. L'objectif du cours est de fournir aux étudiants les instruments nécessaires pour répondre aux questions légales auxquelles sont confrontées créateurs et éditeurs.



ALAIN STROWEL

Alain Strowel is a Professor at the Saint-Louis University in Brussels and teaches IP law in various LL.M. programs (University of Liège and Hogeschool Universiteit Brussel, Belgium; Maastricht University, Netherlands; Munich Intellectual Property Law Centre, Germany).

Belgian lawyer since 1988, Alain Strowel works as Of Counsel in the Brussels office of Covington & Burling LLP where he focuses on digital copyright and trademark issues. He has litigated various IP-related cases before the Belgian courts (ISP liability, protection of slogans, trademarks issues, etc.), and has as well appeared before the European Court of Justice and the European Patent Office.

Professor Strowel is an active member of various IP associations, including the Licensing Executive Society, ALAI, European Patent Lawyers Association and iTech Law Association. He is in the editorial board of many specialised law journals including: *Auteurs et Media*, *Propriétés intellectuelles*, *the Computer Law Review International*, and the *Journal of Intellectual Property Law & Practice*.

Intellectual Property and Competition Law

David Hull & Alain Strowel

Intellectual property plays an increasingly important role in today's economy. As it grows in importance, it poses unique and difficult challenges for the application of traditional competition law principles. This course will explore the tension between the desire to foster vibrant competition on the market that is so central to the competition laws and the goal of rewarding innovation through the grant of IP rights. It will also focus on how both competition and IP law seek to promote innovation. The issues that are discussed in class on the basis of selected readings include: IP licensing, standard-setting and patent pools, patent settlements, parallel trade and compulsory licensing.

The course is jointly taught by an IP specialist (A. Strowel) and a competition law expert (D. Hull), who provide the students with two distinct perspectives on critical issues at the intersection of intellectual property and antitrust.



DAVID HULL

David Hull is a Partner at Covington and Burling LLP, and is head of its EU competition practice. Mr. Hull represents clients before the EU Courts in Luxembourg and the European

Commission and advises them on all aspects of competition law, including cartel investigations, abuse of dominant position, clearance of mergers and joint ventures, technology licensing, and the structuring of distribution and other commercial arrangements. He has particular expertise in issues arising from the intersection of competition and intellectual property law involving hi-tech industries, such as pharmaceuticals, software, and telecommunications.

David Hull is member of the State Bar of Georgia (USA), Registered Foreign Lawyer of the Brussels Bar, and Solicitor of the Supreme Court of England and Wales.

He is a graduate of Davidson College and the University of Georgia School of Law, USA. He holds a LL.M. from the Institute of European Studies (ULB), Brussels.

Questions spéciales de droit européen de la concurrence

Jean-Yves Art & Jean-François Bellis

Ce cours a pour objet de permettre aux étudiants d'acquérir une compréhension et une maîtrise approfondie de certains éléments clefs du droit de la concurrence. Un ensemble de questions est défini chaque année en fonction de l'actualité juridique du moment. Ces questions sont ensuite analysées dans leurs divers aspects : faits, droit, remèdes et cohérence avec la jurisprudence antérieure et la théorie économique. Ces sujets sont débattus avec les étudiants.

Ces dernières années, les questions étudiées ont notamment porté sur : la mise en œuvre de l'article 102 TFUE, le nouveau projet de Règlement sur les restrictions verticales et l'enquête sectorielle sur l'industrie pharmaceutique.



JEAN-YVES ART

Jean-Yves Art is Associated General Counsel and Director of competition law at Microsoft EMEA, Brussels.

Prior to joining Microsoft in 2003, Jean-Yves Art was a Partner at Coudert Brothers LLP where he advised firms in merger review and other antitrust proceedings before the European Commission. He represented undertakings as well as the European Commission in competition law proceedings in front of the General Court and in front of the European Court of Justice. Jean-Yves Art was also Référéndaire at the European Court of Justice from 1989 to 1992.

Lecturer at the College of Europe since 1999, Jean-Yves Art graduated in law and in economic law from the University of Liège. He studied international law and international economics at the Graduate Institute for International Studies, Geneva, Switzerland.



JEAN-FRANÇOIS BELLIS

Jean-François Bellis is founding partner of the law firm Van Bael & Bellis, based in Brussels and Geneva. He is a renowned specialist in competition and international trade law.

In the field of competition law, Jean-François Bellis has advised international clients in numerous cases at EU and national level involving a broad range of antitrust issues, including cartels, abuses of a dominant position, mergers, distribution and licensing. Jean-François Bellis has extensive litigation experience in EU competition and trade cases. He has been involved in a large number of the major competition and trade cases in front of the European Courts.

Previously, he served as Référéndaire to Judge Lord McKenzie Stuart at the Court of Justice of the European Communities and was appointed member of a WTO panel. He is graduated from the University of Brussels (ULB) and holds an LL.M. from the University of Michigan Law School (USA).

Jean-François Bellis is Lecturer at the University of Liège, and Professor at the ULB. Jean-François Bellis has written numerous books and articles in the field of competition and trade law and has spoken on these subjects at many international conferences and seminars.

Legal Writing Seminary

Andrew Fine

This series of seminars aims at strengthening the English writing skills of students. Emphasis will be put on persuasiveness, writing structure, clarity, density, and brevity. Through assignments, focus will be made on acquisition of simple reflexes, such as the use of “active” language, subject-verb-object coordination, and proper sentence and paragraph length.

Legal practitioners must not only know the law, they also have to be experienced in the fine art of convincing. In a world where English has become the global language, this course comes to be a must.



ANDREW FINE

Andrew Fine is Attorney, member of the Florida Bar and American Bar Association. Before founding his own law firm, Andrew Fine was Associate at Lewis &

Roberts PLLC, and Bug & Wolf P.A. Andrew Fine deals with all aspects of civil litigation, represents clients in mediation and arbitration or handles litigation matters in Courts. In particular, he has developed solid skills for the drafting of motions and pleading.

In parallel to his legal practice, Andrew Fine designed curriculum and taught courses for native and non-native English-speaking lawyers. These courses, targeted at improving the legal writing skills of lawyers, gave Mr Fine the opportunity to gain experience in offering writing support. Andrew Fine gave courses at the North Carolina Central University, USA, and in several prestigious law firms, such as Mannheimer Swartling, and Covington and Burling LLP.

› OPTIONAL COURSES

Institutions, Proceedings and Enforcement of European Competition Law

Nicolas Petit (*Profile: see page 13*)

European competition law is governed by intricate institutional mechanisms and proceedings. It is applied by specialised administrative agencies as well as ordinary jurisdictions, operating both at the national and the European level. Moreover, the working methods and prerogatives of these organs are in constant evolution: class actions, negotiated solutions (settlements and commitments), leniency, sector inquiries and arbitration are only a few examples of this evolution.

Against this background, this course seeks to provide an overview of the procedural and institutional machinery underlying the enforcement of EU competition rules. To this end, it is divided into three parts. Part I reviews the institutions tasked with the enforcement of EU competition law at both national and European levels. It also discusses briefly the international institutions

involved in competition law matters. Part II provides an in-depth analysis of enforcement proceedings before the European Commission. It deals, amongst other things, with investigation measures, the opening of formal proceedings, access to the file issues, the statement of objections, the hearing, rights of defence, negotiations with the Commission, etc. Part III discusses the remedies available before the General Court and the Court of Justice, as well as the complex, sensitive issue of judicial review.

Case Studies in EU Competition Law

Luc Gyselen

The course reviews an anthology of Court judgments and Commission decisions covering the full range of EU antitrust and merger control issues: cartels, other horizontal restraints and vertical restraints (Art. 101 TFEU), unilateral abusive conduct (Art. 102 TFEU), mergers and also restraints -other than state aids - involving companies entrusted with so-called services of



LUC GYSELEN

Luc Gyselen is a Partner at Arnold & Porter LLP. His practice focuses on the entire range of EU competition law issues, and encompasses advice and representation before EU and national agencies on merger control, abusive conduct, cartels, and state aids.

Previously, Luc Gyselen held several senior positions at the European Commission and has been Head of Unit in the Directorate-General for Competition (DG COMP). He also served as R f rendaire to Judge Ren  Joliet at the Court of Justice

of the European Communities.

In light of his previous government experience, Mr. Gyselen has significant expertise on areas where antitrust and regulatory issues are intertwined, such as financial services and pharmaceuticals, on distribution practices involving manufacturers of fast moving consumer goods such as food.

Mr. Gyselen is graduated from the University of Leuven (KUL), Belgium, and holds an LL.M. from the Harvard Law School, USA.

general economic interest (Art. 106 TFEU). The seminar will also address some key procedural issues that typically arise in these areas.

The objective is to offer students a two-sided perspective: that of the enforcer and that of a private practitioner who assists companies in staying clear from the “danger” zone. Ultimately, the goal is to enable students to better understand what the notion of «restriction of competition» really means in EU competition law.

Given the case oriented nature of the course material, the Socratic method will be applied. Students will be asked to present the selected cases and the lecturer will coach the group in identifying key «take away» points.

Droit des médias

François Jongen

La matière du droit des médias est, par essence, une matière interdisciplinaire qui emprunte au droit public (fondements constitutionnels

de la liberté d'expression et de la liberté d'entreprise, répartition de compétences, statut des organismes publics de l'audiovisuel, régimes d'autorisation), au droit privé (droits de la personnalité tels que droit à l'honneur, droit à l'image, droit à la vie privée, questions de responsabilité des médias), au droit européen (protection des libertés précitées par la CEDH, libre circulation des médias dans l'Union européenne), au droit pénal (notion de délit de presse), au droit social (statut des journalistes) ou au droit économique (règles de concurrence, publicité commerciale...). Ces différentes questions sont étudiées en tenant compte des spécificités de chaque média : écrit, audiovisuel et internet.

Il sera retenu, en fonction de l'actualité, cinq questions qui feront chacune l'objet d'un cours de deux heures. Les cours seront donnés ex cathedra, mais les étudiants seront invités à participer par leurs questions, notamment en préparant chaque cours sur base de documents dont la lecture sera suggérée.



FRANÇOIS JONGEN

François Jongen is a lawyer and a member of the Nivelles Bar. He is specialized in media law and new technologies. François Jongen is Professor of Law at the Catholic University of Louvain (UCL), Belgium and has been invited Professor at the University of Paris II, Panthéon – Assas, France.

In parallel to his legal activities, François Jongen is active in the Media industry. He authors and produces various radio programs.

François Jongen holds a PhD in law from the Catholic University of Louvain, and is graduated in journalism from the Free University of Brussels (ULB), Belgium.

Professor Jongen is a member of the Directory Board of the law journals *Auteurs & Media* and *Revue de Jurisprudence de Liège, Mons, Bruxelles*. He is author of numerous books and publications on media law, such as *Médias et service public* and *Droit de la radio et de la télévision*. He recently edited a collective book titled *Droit et littérature*.

Designs

Charles-Henry Massa

Outward appearance determines to a large extent the value of goods. Traditionally, design protection always played, for obvious reasons, a fundamental role in the fashion sector (for instance, in the haute-couture market). In fact, various industrial sectors now find a keen interest in protecting the appearance of their products. As a result, the demand for design registration is constantly increasing.

EU law provides a “new” regime for design protection: this EU system provides for an effective, and even, protection of designs throughout Europe. The features of this European regime will be the main subject matter of the course. Lessons will first include detailed discussions around the acquisition of a Design IP right (subject-matter of the protection, exclusions, conditions required to obtain a protection, commencement and term of the right). Then, the course will focus on the enforcement of Designs. To this end, the students will examine the rules governing ownership, the Design’s scope of protection, as well as licensing contracts. Eventually, students will explore the case-law of the European Design Courts, which hold jurisdiction over infringement proceedings.

In addition to the European Design regime, national and regional (i.e. Benelux) design rights shall be briefly addressed. As European designs may be cumulated with copyrights and trademarks, their respective regimes will also be compared.



CHARLES-HENRY MASSA

Charles-Henry Massa trained as a qualified lawyer at the Brussels Bar with the IP/IT Department of the Nauta Dutilh law firm. He has

been research assistant at the IEJE as well as at the Facultés Universitaires Saint-Louis (F.U.S.L.).

Charles-Henry Massa is a graduate from the University of Liège and holds an LL.M. from the Cambridge law school, UK. Thanks to a B.A.E.F. fellowship, Charles-Henry Massa received an LL.M. from the Harvard Law School, with whom he won the European Law Moot Court Competition (E.L.M.C.).

Charles-Henry Massa is currently completing a PhD on patent litigation at the European University Institute in Florence (E.U.I.), Italy. In 2007 he won INTA’s ADR Online Competition as the Best Mediator and Second Place Advocate.

Charles-Henry Massa is currently preparing a textbook on design protections. He has published numerous articles and won the Wim Mak Award 2002 with a research on the Community Design. He has given speeches on IP in more than ten countries.

IP Enforcement

Christof Karl

IP litigation represents a technical, complex but crucial part of IP protection. Through judicial proceedings, IP holders enforce their right, prevent infringements and collect damages, while, conversely, alleged infringers are offered the opportunity to plead their case.

This course takes a practice-oriented approach: examples studied during the course will mainly be based on real cases. Students will be invited to take the perspective of a lawyer representing the plaintiff, or the defendant, in an IP litigation.

As IP procedures are not fully harmonised at the EU level, the course concentrates on principles common to the Member States. The first part of the course focuses on enforcement issues which arise in respect of all types of IP rights. Those aspects include such diverse elements as pre-trial procedures, questions of jurisdiction and competent courts, but also evidentiary rules, preliminary injunctions and border seizures, defences and counterclaims. The second part of the course deals with enforcement issues particular to patents and trademarks. The main issues that will be dealt with are, on the one hand, the definition of the scope of protection provided by IP rights, and, on the other hand, the specific procedures available to challenge their validity.



CHRISTOF KARL

Christof Karl is a Partner of the IP law firm Bardehle Pagenberg. His legal practice focuses on prosecution and litigation of patents. He works in the fields

of computer software and hardware as well as telecommunications. Further activities include advice in Computer Law, Internet Law and Copyright Law issues. Christof Karl's practice encompasses representation before the German Federal Patent Court.

Christof Karl is a German attorney-at-law, a US attorney-at-law, a computer scientist and a German patent attorney. He is qualified to handle both the legal and technical aspects of patent litigation.

Christof Karl holds an LL.M. in Intellectual Property Law from the George Washington University (GWU), Washington DC, USA, and a PhD in law from the University of Munich, Germany.



› STUDY TRIP

To help the LL.M. students improve their knowledge of the EU institutions, a study trip is organized each year. This trip offers a unique opportunity to discover, from the insides, the functioning of a major EU institution. During the trip, students are guided by a lawyer familiar with the visited institution.

The study trip is an integral part of the academic programme.

› PARTNERSHIP, EVENTS AND CONFERENCES

The IEJE has established a partnership with the online journal *e-Competitions*. Under this partnership, LL.M. students are offered the opportunity to co-author case notes on Belgian competition law cases, which are subsequently published under their name in an international online law journal (www.concurrences.com).

Students are also given the opportunity to participate to several Moot Courts during the academic year. A few years ago, a team of our LL.M. students won the prize for the best submission in the Competition Law Moot Court organised by the College of Europe, Belgium. In 2010, a

team composed of four LL.M. students were selected to take part to the Competition Law Moot Court organized by Lamy publishing

Each year, the IEJE organizes several conferences on European, Competition or IP law issues, to which the LL.M. students are closely associated. Those events provide our students with the opportunity to socialize with IP and competition professionals. Since 2009, the IEJE organized the following events:

- "Half-Day Conference on the Commission's Guidance Notice on Article 82 EC", 11 May 2009
- "Half-Day Conference on the Commission's Pharma Sector Inquiry", 14 January 2009
- "IEJE-FEB 2nd Competition Day – Vertical Restraints and Distribution Agreements", 30 September 2009 (in partnership with the Federation of Belgian Undertakings (FEB)).
- "The Google Book Settlement – The Challenge of Building a Digital Library that Benefits All", 12 February 2010.
- "Everything you always wanted to know on the Lisbon Treaty (but were too afraid to ask)", 26 February 2010.
- "What comes Next in Electronic Communications? A Review of the New EU Framework", 30 April 2010.

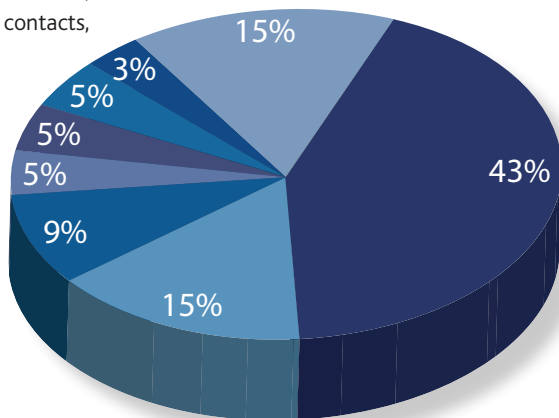


› CAREERS AND STATS

Various meetings and seminars are organized during the academic year to help students improve their professional skills (CV and cover letters drafting, interview techniques, etc.) and to introduce themselves to legal practitioners. Last but not least, opportunities for summer placements in law firms and institutions are regularly offered.

In addition to these events, our alumni database is a key asset for graduating students, who benefit from a useful network of contacts, at the very beginning of their career.

Thanks to this constant follow-up of our students' professional development, many of our former students hold now positions in prestigious law firms, companies and public institutions.



ALUMNI BY SECTORS

- Law firms
- Services (In-house counsels)
- EU Institutions
- National administrations
- Academic sector
- Legal consultancy
(trademark attorneys, independant legal advisors,...)
- Media, press and culture
- Others

› WHAT THEY SAY ABOUT US :

"A simple Master in law degree is no longer enough for many students. It is why, after having obtained the scholarship for foreign students from the Belgian government, I decided to join this LL.M. The choice was not difficult, as although relatively new, the LL.M. is already highly-recognized all over Europe and the decision fast turned out to be one of the best I've made in my professional path so far! "

Sonia Józviak, *Civil Servant, Polish Office of Competition and Consumer Protection (2008-2009)*.

"A very interesting education offering excellent insight into all aspects of IP and competition law and focussing on the current debates in both bodies of law. Highly recommended because of the combination of a theoretical and practical approach."

Frederik BAEYENS, *Associate, De Bock & Baluwe (2004-2005)*.

"Grace à ce Master complémentaire, j'ai passé une année riche, passionnante et très instructive : corps professoral exemplaire (tant d'un point de vue humain que dans la teneur des cours), avantages d'une «classe» peu nombreuse (forte complicité...) et, *last but not least*, de très nets progrès en anglais".

Pierre CRUCIFIX, *Associate, Gore & Grimes Solicitors (2008-2009)*.

"Thanks to a teaching staff consisting of both leading academics and practitioners, this LL.M. offers in-depth insights in IP and competition law. Through its interactive formula and international orientation, it enticed me to think outside the box and to develop a cross-border perspective on both bodies of law. Furthermore, my command of both French and English has improved significantly during the course of the program. Administrative support during the year is superb. All in all, I highly recommend the program."

Kristof NEEFS, *Associate, Altius (2006-2007)*.

"The LL.M. offered me a unique opportunity to gain an in-depth knowledge of IP and competition law, and this not only from an academic point of view: a lot of attention is being paid to practical cases, exercises and recent developments. Moreover, students are often invited to conferences and seminars that are not normally accessible to them. This, in combination with the fact that the courses are taught in French and English, makes this LL.M. the perfect preparation to become a skilled legal practitioner".

Ann-Sophie MAES, *LL.M. candidate (2009-2010)*.



› GENERAL INFORMATION :

The City of Liège

Located in the close vicinity of Brussels, the city of Liège is one of the principal economic and cultural cities of Belgium. Situated in the valley of the Meuse River, the city is near Belgium's eastern borders with the Netherlands and Germany.

The story of the city of Liège is characterised by an early political and economic rise. From the early Middle Age, driven by the impulse of a lineage of princes-bishops, the city was soon transformed into a major intellectual and ecclesiastical centre. Numerous churches, cathedrals and medieval buildings still bears witness of this glorious past.

The development of the city is now closely intertwined with the one of the University. Student events and folkloric displays rhythm the life of the city.



Languages

To follow the LL.M. programme, a sound working knowledge of French and English languages is indispensable.

Students willing to improve their English or French may attend language courses organized at the University during the academic year. (See: http://www.islv.ulg.ac.be/fr_lm.html).

Admission requirements

The LL.M. in European Competition and IP law is open to all applicants holding either a Bologna Master's degree or a degree that is deemed equivalent by the admission commission. This degree is also opened to students with degrees from business schools, subject to a decision from the admission commission.

Registration form

The registration form can be downloaded directly from the University of Liège website:

EU Students:

http://www.ulg.ac.be/upload/docs/application/pdf/2008-12/fa_ue_09_10_.pdf

Non-EU Students:

http://www.ulg.ac.be/upload/docs/application/pdf/2008-12/fa_hue_09_10_.pdf

Accommodation and practical information

Two halls of residence are available on the campus. Many private student rooms are available in the city centre for affordable prices.

For more information, please contact the Accommodation Service:

http://www.ulg.ac.be/cms/c_201023/logement

Fees

The University of Liège is a government-funded institution, whose fees are regulated. The tuition fee for the academic year 2010-2011 amounts to €835.

› INQUIRIES

Please address your requests to:

Ms. C. SCHEVENELS-LANGEVIN
Institut d'Etudes Juridiques Européennes
Faculté de Droit – ULg
Boulevard du Rectorat, 3 Bât. B33 / Bte 9
Belgium

Email: ieje@ulg.ac.be
See also: www.ieje.net



Le Master complémentaire en droit européen - droit de la concurrence et de la propriété intellectuelle, c'est :

- une formation bilingue (français/anglais) en droit européen ;
- une offre complète de cours, enseignés par de véritables praticiens du droit de la concurrence et de la propriété intellectuelle ;
- des cours donnés sous forme de séminaires à un nombre réduit d'étudiants ;
- un enseignement participatif, basé sur l'étude de cas pratiques, le débat et la discussion ;
- un vaste choix de conférences et de séminaires, menés par des intervenants extérieurs invités, et traitant de questions au cœur de l'actualité du droit ;
- des possibilités de stages au sein de cabinets d'avocats ;
- l'opportunité d'accéder à un réseau de contacts professionnels ;
- la possibilité pour les étudiants de rédiger des chroniques publiées dans la revue juridique e-Competitions (www.concurrences.com).

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