

**LAWS: (code) Intellectual Property, Human Rights and Health  
Dr. Chidi Oguamanam**

This is a seminar in which students are expected to discuss, conduct research, generally explore and write papers on a range of issues at the intersection of the presently emerging and indeterminate contour of intellectual property and human rights. While providing special accommodation for health (including access to essential medicines), the seminar explores multiple intellectual property issue linkages to other human rights subject matters. The rotating heads of issues addressed in the seminar include the juridical framing or grounding of intellectual property's intersection with human rights on the backdrop of the post TRIPS global intellectual property order, the dialectical role of intellectual property both to promote and undermine human rights of creators and users of intellectual products. The seminar also explores indigenous knowledge, its relationship with human dignity, identify, cultural rights and self-determination of indigenous and local communities within the intersection of intellectual property and human rights. Also explored in this seminar is the role of intellectual property in negotiating access to new technology platforms (including bio- and digital technologies, the Internet and their spin-offs) and the intellectual property's capacity for both cultural appropriation and cultural promotion and safeguarding in diverse contexts within the broader rubric of the digital divide and emerging debate over the human rights ramifications of access to the Internet. Overall, the seminar examines the interface between intellectual property and human rights within the prism of both a conflict and a co-existence approach. Readings and discussions on specific issue areas of intellectual property and human rights interface are designed to challenge participants to grapple with challenges of negotiating the right balance between intellectual property and human rights both for their mutual enhancement and for the global optimization of the promise of the knowledge society. Students are encouraged and shepherded to generate and explore researchable issues in their specific areas of interests relevant to intellectual property and human rights interface in order to meet their individual and/or collective expectations from the seminar.

No technical background or expertise is required for enrollment in the seminar. Students are, however, expected to have sufficient interest, motivation and explorative attitude in order to optimize their participation in the seminar. They are expected to use of the Internet and other research tools to access seminar-related materials and conduct research on a final paper. Students are reminded of the laws and regulations against plagiarism. A high standard of academic and research integrity is required and will be rewarded. Students are advised to familiarize themselves the university and Law school policy on plagiarism and academic honesty and integrity. They are expected to be rigorous in crediting the work and ideas of others. Any paper or assignment submitted by a student in this seminar may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the Law School, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above.

**Evaluation**

A major research paper between 24 and 25 pages (including footnotes of 10"), double spaced 12" font size Arial on self-selected topic (subject to approval) = 65%. An abstract and outline (A&O) of the paper, not more than two double spaced pages = 5%. Class attendance = 10%; class participation = 10%; leading class discussion on specific subject =10%. Arrange to discuss your chosen research paper topic before you prepare your A&O. Feedback will be provided on the A&O before the students prepares the major paper. Evaluation of the major paper will place emphasis on a number of considerations including originality, research rigor, arrangement/presentation and structure of the paper, knowledge of subject matter, grammar, clarity and accessibility, and overall impression of the paper as a piece of academic work.