

Course Unit	Marketing Law	Field of study	Law
Bachelor in	Marketing	School	School of Public Management, Communication and Tourism
Academic Year	2023/2024	Year of study	2
Type	Semestral	Semester	2
Level	1-2	ECTS credits	6.0
Code	9205-714-2203-00-23		
Workload (hours)	162	Contact hours	T - TP 60 PL - TC - S - E - OT - O -

T - Lectures; TP - Lectures and problem-solving; PL - Problem-solving, project or laboratory; TC - Fieldwork; S - Seminar; E - Placement; OT - Tutorial; O - Other

Name(s) of lecturer(s) Rute Isabel Esteves Ferreira Couto Fernandes

Learning outcomes and competences

At the end of the course unit the learner is expected to be able to:

1. Know and interpretate the legislation that disciplines the area of the marketing.
2. Understand the ethical-legal limits to communication freedom in the activity of marketing and the resultant responsibility of its breaking.
3. Apply the legal concepts and normatives in practical situations.

Prerequisites

Before the course unit the learner is expected to be able to:
Not applicable

Course contents

1) Introduction; 2) Advertising Law; 3) Consumer Law; 4) Protection of Personal Data; 5) Intellectual Property and Competition.

Course contents (extended version)

1. INTRODUCTION
 - General notions of portuguese and european union law
 - Unlawfulness and Liability
 - Regulation and Self-regulation
2. ADVERTISING LAW
 - Legal framework of advertising: subjects, principles and constraints
 - Comparative advertising
 - Domiciliary Advertising
 - Outdoor Advertising
 - Audiovisual commercial communication
3. CONSUMER LAW
 - Consumer fundamental rights
 - Misleading and aggressive commercial practices
 - Sale of goods and supply of digital content and digital services
 - Distance contracts and contracts negotiated away from business premises
 - Commercial procedures with a reduced price
 - Consumer conflicts and its resolution
4. PROTECTION OF PERSONAL DATA
 - Personal data processing
 - Direct marketing
 - Unsolicited communications
 - The use of cookies
5. INTELLECTUAL PROPERTY AND COMPETITION
 - Industrial Property: trademarks, patents and design
 - Copyright and related rights
 - Unfair competition

Recommended reading

1. Amorim, A. (2023). Manual de direito da publicidade (2ª edição). Editora Petrony. ISBN 9789726853299.
2. Falcão, D. (2023). Lições de direito do consumo (4ª edição). Almedina. ISBN 9789894012450.
3. Gonçalves, L. (2023). Manual de direito industrial (10ª edição revista e atualizada). Almedina. ISBN 9789894014102.
4. Magalhães, F. & Pereira, M. (2020). Regulamento geral de proteção de dados - manual prático (3ª edição). Vida Económica. ISBN 9789897686801.
5. Marques, M., Oliveira, F., Guedes, A. & Rafeiro, M. (2016). Regime jurídico de acesso e exercício de atividades de comércio, serviços e restauração. Almedina. ISBN 9789724064956.

Teaching and learning methods

Presentation and debate of programme contents. Resolution of practical cases. Accomplishment of work proposals (simulations and case study).

Assessment methods

1. Final assessment (2 tests) - (Regular, Student Worker) (Final)
 - Intermediate Written Test - 60% (Modules "Advertising Law" and "Consumer Law")
 - Final Written Exam - 40% (Modules "Protection of Personal Data" and "Intellectual Property and Competition")
2. Final exam - (Regular, Student Worker) (Supplementary, Special)
 - Final Written Exam - 100%
3. International incoming students - (Regular, Student Worker) (Final, Supplementary, Special)
 - Practical Work - 50% (in portuguese or english)
 - Final Written Exam - 50% (in portuguese or english)

Language of instruction

Portuguese, with additional English support for foreign students.

Electronic validation

Rute Isabel Esteves Ferreira Couto Fernandes	Luisa Margarida Barata Lopes	Catarina Alexandra Alves Fernandes	Sonia Paula da Silva Nogueira
07-03-2024	09-03-2024	10-03-2024	13-03-2024