

Course Unit	Marketing Law		Field of study	Law	
Bachelor in	Marketing		School	School of Public Management, Communication and Tourism	
Academic Year	2021/2022	Year of study	2	Level	1-2
Type	Semestral	Semester	2	ECTS credits	6.0
Code	9205-714-2203-00-21				
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 interpret 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
  - Legal regime of access and exercise of activities of commerce, services and restaurants
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. (2018). Manual de direito da publicidade. Editora Petrony. ISBN 9789726852568.
2. Antunes, L. (2018). Pôr em prática o rgpd - o que muda para nós? e para as organizações? . Editora FCA. ISBN 9789727228966.
3. Falcão, D. (2020). Lições de direito do consumo (2ª edição). Almedina. ISBN 9789724086330.
4. Gonçalves, L. (2022). Manual de direito industrial. (9ª edição). Almedina. ISBN 9789724097244.
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. Distributed evaluation - (Regular, Student Worker) (Final)
  - Intermediate Written Test - 45% (Modules "Advertising Law" and "Consumer Law")
  - Final Written Exam - 40% (Modules "Protection of Personal Data" and "Intellectual Property and Competition")
  - Projects - 15% (Interdisciplinary assessment (with "Advertising and Public Relations"): legal component)
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	Luisa Margarida Barata Lopes
07-03-2022	07-03-2022	07-03-2022	08-03-2022