

The Google AdWords test. How MA-students applied an analytical model from a dissertation to solve an unsettled legal issue.

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Subject, course/other context, study level, ECTS and number of students:

“Advanced Intellectual Property: Business Identifiers”, 10 ECTS master level course, ca. 15 participants.

The motivation behind the activity: (max. 40 words)

To activate the students in an open discussion on a new phenomenon, namely the use of others’ trademarks in hashtags, and to test whether the analytical model that I set up in my dissertation is an applicable and useful tool

Key learning outcomes, focussing on the way in which the activity is research-based:

The key learning outcome was for the students to demonstrate and apply their analytical skills to a new – and unsettled – legal problem. In the lectures preceding the learning activity, I had presented some of the key results of my dissertation, including a model that – I claim – supports the analysis of new legal phenomena in digital media.

Description of the activity:

The activity was conducted as the concluding part of my final lecture at the course. After a short introduction to hashtags, including examples of trademark protected hashtags, I invited the students to an open discussion on legal aspects of the use of others’ trademarks in digital media. I extracted and specified the tabled legal aspects on a whiteboard, which helped to focus the discussion. The discussion lasted for 30 min and was closed with – albeit cautious – oral conclusions.

Interplay between teaching and exam:

The course is concluded with a 20 min oral exam without preparation. This activity described above reflected the exam in the sense that it was based on a short presentation of a topic and its subsequent discussion by the students, in which the students were given the opportunity to apply their analytical skills and to present their analysis in a structured manner.

The intended outcome for your research:

My intention with this particular activity actually was to “test” whether the analytical model that I had developed in my dissertation could be applied to a new phenomenon such as hashtags. Although I think the model passed the test, the discussions gave me food for thought

regarding how to improve and refine the method, and also regarding how to fine-tune its presentation.

Presumed strengths and weaknesses of the activity, and how you plan to address and evaluate them:

Although we did not evaluate the activity, the discussion was lively and, on my count, everybody participated. In other words, the activity worked fine in this specific context with relatively few students. A small group of students meant that everyone had their say in the plenary discussion. If the group of students had been larger, I assume that it would have been necessary to divide the students in two or more groups. These discussion groups would then present their findings in the plenum, so that the discussion would still have a joint outcome.

Further information (about the activity, links or other material):

N/A

Key words: (3-5 key words)

Open discussion, analytical skills, unsettled legal issue, open research question, application of own method/model