

## **Intellectual Property Protection – 2018/2019**

### **Essay guidelines**

#### **I. Task**

As discussed during the lecture, the work for a grade is to write the academic essay. The topic for the academic essay is as follows:

**How owners of market top brands / iconic products or celebrities do manage and protect their brand and intellectual property rights? Choose one or up to three examples. Please indicate references and give examples (judgments or news on settlement agreements or license / purchase contracts). In particular, name type of intellectual property rights and comment on disputes or license agreements concerning the commented brand.**

**Please note that the better your essay will be researched (the more references) and the more examples you give, your essay will be grade higher.**

The exemplary list of brands is provided below (not exhaustive):

- Protection of brands in the sport world
- Protection of brands in the fashion world
- The International Olympic Committee
- Google
- Levis
- J.R.R. Tolkien and “Lord of the Rings” / “Hobbit” saga
- McDonald’s
- Coca-Cola
- Warner Brothers, JK. Rowling and ‘Harry Potter’ saga
- Walt Disney Company
- “Game of Thrones” and George R.R. Martin saga
- “Star Wars” saga and George Lucas
- “Sherlock Holmes”
- “Barbie Doll” and Mattel Company
- Apple Inc.
- Film studios (Paramount Pictures, Warner Brothers, etc.)

Please write your essay up to 15 pages, but minimum 8 pages. See point 5 regarding technical requirements (font, etc).

Please submit your papers by **15 May 2019**.

Please notice that if you need to obtain a grade before this date (i.e. you are an exchange student), please submit your paper accordingly and within due time limits.

**If you have any questions, or you need to confirm your chosen topic please e-mail me.**

## **II. Academic essay tips. Source: <https://carleton.ca/economics/courses/writing-preliminaries/academic-essay-writing/>**

The following is based on an original document by Bethan Davies with revisions by John McKenna, D. Robert Ladd, and Ellen G. Bard of the School of Philosophy, Psychology, and Language Sciences at the University of Edinburgh.

### 1 Introduction

Good essay writing is a skill acquired rather than learnt. Approaches vary from person to person and will depend on one's experience in essay writing, almost to the point where a style of writing will be as individual as a signature.

You may already be quite comfortable writing essays and if so, you will have a definite feel for what works for you. If, on the other hand, you are new at the game or don't seem to be getting the marks you feel your efforts deserve, then we encourage you to follow the advice in Section 2 on preparation and research. The same applies to Section 3 on structure and Section 4 on style, but the contents of these sections can also serve as a basis for self-assessment—even for the experienced—before that final draft is submitted. There is a checklist at the end—use it! You should pay special attention to Section 4.3 on stylistic conventions, as there is little scope for flexibility on these matters within a particular academic discipline.

### 2 Preparation

#### 2.1 Time Management

Allow yourself enough time. If you work continuously on your essay right up to the deadline, there is a very high likelihood that you won't have done yourself (or the topic) justice. So make a rough timetable. Aim to have what you subjectively feel is a "final" draft at least two days before the submission deadline. Use the remaining days to review your work at well-spaced intervals. This will help you look more objectively at your own work.

#### 2.2 Getting Started

First—plan! Don't just start writing, and hope that it will work out first time: many people find that their ideas and arguments develop during the process of planning and/or writing. The whole process is very much an iterative one and you should expect to be writing more than one draft. As you are required to process your work electronically, editing and re-drafting is a relatively easy task.

Possible options (among many) for getting started include:

- list the points you intend to cover, then try to group them according to some common factor
- summarize your answer to the question in one line, then list the evidence you have for that conclusion (strongest evidence first?)
- start writing and see what develops

- summarize each intended paragraph in one line, and see how they relate to the question
- write a series of separate paragraphs (one for each area you want to cover), each on a separate piece of paper, and then try to order them
- leave the introduction and conclusion until you've written the rest of the essay (a strong favourite)

## 2.3 Relevance to Question

Although this may sound obvious, a lot of essays lose marks for containing material that is simply irrelevant. Make sure that you read the assignment sheet thoroughly and are sure about what it asks for before you start reading for the essay. While you are reading, bear in mind what sort of material you are looking for in order to address the assigned topic. Even if you do come across a lot of interesting material when researching for your essay, be selective. Interesting material won't gain you extra marks unless it is relevant. Remember that relevance does not only apply to the material you use, but also the way that you use it. Summarizing each relevant research area for an essay does not constitute an answer: you have to orient the material you use towards the assigned topic. Part of what you need to learn consists of relationships among ideas. It is also a good policy to check your final draft with this in mind. Read each paragraph and ask yourself whether it addresses the topic. It is all too easy to drift away from the point.

## 3. Structure and Content

### 3.1 Structure

An important skill of essay writing is learning how to structure what you want to say. All essays should have an introduction and a conclusion. In most cases these will be your first and last paragraphs, respectively, although once you've mastered the art of essay writing, you will be able to vary your structure somewhat. In a technical write-up, the order is often prescribed or logically dictated by the material (e.g., methods before results). But even in a technical write-up the introductory section may itself be like a mini-essay that aims to make a point.

#### 3.1.1 Introduction

In your introduction, say:

- what the essay is about; e.g., "In this essay I shall consider the question of ...."
  - what material you intend to cover; e.g., "I will look at ...."
  - what argument you intend to follow; e.g., "I will suggest that ...."
- Finally, make it clear where your introduction ends and the rest of your essay begins; i.e., start a new paragraph!

#### 3.1.2 Body of the Essay

A well-structured essay should consist of a series of paragraphs that progress logically through the series of points that you intend to cover. Obviously, the difficult part is working out what that order should be. In essence, an essay is an argument, so your structure should be based on the particulars of your argument.

Remember that good essays don't just give evidence for their point of view, but also demonstrate why opposing views are flawed. Imagine a reader, then try to predict their objections to your argument, and then demonstrate why they are wrong.

### 3.1.3 Conclusion

Your essay should have a definite ending, in the form of a conclusion. Here you should summarize what it is that you have said in your essay, stating what your answer to the question is and why. Often, there is no simple answer (which is why you are writing an essay, and not a two-mark answer on a class test), so you should state what the complexities of the issue are. You may feel that you are repeating yourself, as the body of your essay should have made your argument clear already, but the reader will appreciate a good summary.

### 3.2 Originality

Originality is one of the hardest things to achieve in an essay, but any effort you make at being original will be noticed by the marker. This doesn't mean that you have to invent a new theory each time you write an essay. You can still achieve originality in a number of smaller ways, such as making up your own examples rather than using ones straight from books, relating popular examples to your own experience, or perhaps trying to make new connections between particular viewpoints.

You may not be the first to make these connections, but that doesn't make them any less valid or interesting. This shows the person reading your essay that you have engaged with the topic and really thought about it, rather than just regurgitating what you read in the course textbook, or whatever. Reading through some other books or papers in addition to, say, the two or three that everyone else is using, is also likely to help you to gain a wider perspective on the question you are studying. All published academic works contain bibliographies that can point you to other papers. Use the on-line library catalogue to search for the books held by the University Library. In some areas, the Social Science Citation Index (SSCI), now available from the on-line University Library (via Web of Science, for example), will allow you to search for any publication mentioned in the bibliography of any journal article. It will also let you search for any publication citing your target article in its bibliography.

In an Honours essay, you should look around a bit to see whether anyone else has already made an argument that you believe you have been the first to work out. Your Essay Supervisor will be able to direct you towards the right material. Don't be discouraged if you find such work—develop it.

### 3.3 Use of Examples

The use of examples is essential to a good essay. Each point you make should be supported by one or two good examples. But remember that using an example is in itself not sufficient to support your point of view. Be explicit in stating why this example is good evidence of your argument. Also, you don't need a lot of them: one pertinent example is far more effective than three mediocre ones.

In the case of economic examples, you should also be very careful to make clear the context. Being able to analyze the various factors that can shape a particular situation is an important skill to acquire.

### 3.4 Length

Often you will be given a word limit, or suggested length for an essay. Use this information to gauge the level of detail, and degree of coverage that is expected. Obviously, an essay of 1500 words will have a narrower focus and will require greater summarizing skills than one of 3000 words. Being able to extract what is important about a particular paper, and to summarize it, is an invaluable skill that can be applied in all kinds of real-world situations (to use the currently fashionable jargon, it is a “transferable skill”). Note that markers will penalize essays that are too long. Keeping to the limit tells the marker that you understand what is important in your argument.

## 4 Presentation and Style

### 4.1 Presentation

Although there is no strict convention on layout, do consider how the essay looks on the page. Several studies have shown that presentation does have a subconscious effect on markers, even when they’re not explicitly marking on that criterion.

For longer essays with distinct sections, you may consider using headed sections as in these guidelines. Doing so may disrupt the flow of the essay, however. For essays of less than 1500 words, it is unlikely that you will need to section.

You may feel that a diagram could help illustrate a point. This has the added effect of breaking up large chunks of text that can be subconsciously off-putting to the reader. But beware the added complexities involved in formatting your document (if you incorporate the diagram electronically) or

the added time required to add a diagram by hand. Some versions of the software available on public machines produce graphics that cannot be printed from other machines. Give yourself time to test for potential glitches of this sort.

### 4.2 Style

What constitutes “good style” is one of the hardest things to state explicitly, and is perhaps the criterion most open to personal variation. But there are some points that you should bear in mind. One of these points is that you are writing an academic essay, and as such, are required to use a reasonably formal style of writing. This does not mean that you should be obscure, or use impossibly long sentences with multisyllabic words, but you should avoid being overly colloquial.

More importantly, you should:

- Be explicit: Remember that you should be writing your essay for someone who has a general background in the general subject area, but doesn’t necessarily specialize in that particular topic. Also, don’t leave the reader to infer your conclusions—state them explicitly.
- Use sign-posts: Make your essay easier to read by being explicit (that word again!) about your essay structure; e.g., “In the next section I will ...” or “As I have argued previously ....”

- Avoid long sentences: Be wary of convoluted syntactic structures—they might be fun to analyze, but they can be difficult to read. Go for short sentences: if you have a sentence more than three or four lines long, then it probably needs to be broken up into simpler structures.
- Avoid long paragraphs: Try to avoid writing paragraphs more than 10 or 15 lines long. Long blocks of text have a negative subconscious effect on the reader. Of course, points sometimes take more space to make, but if you find yourself writing a long paragraph, ask yourself: “Should I break this point into sub-points?” You could then connect the sub-points with linking sentences at the beginning and/or end of each of the smaller paragraphs.
- Don’t imagine that the reader knows what you mean: If you imagine a reader, don’t imagine the marker, whose knowledge you will probably exaggerate! Imagine another student in your class. This should help you to be explicit about definitions and be helpful in relation to signposting. Basically, think of all the reading you did for the essay you’ve just written: what made each of the articles and/or books easier or harder to read?

#### 4.3 Stylistic Conventions

Finally, there are a number of points of grammar and style that you should be aware of, and a number of detailed conventions that you should follow. These are discussed in the following subsections. 4.3.1 Style and Grammar

A few stylistic points are listed below. Use your own judgement: don’t use complicated structures simply to avoid these forms, but don’t deliberately wave the red flag if you don’t have to. Your tests should be “Does it sound awkward?” and “Is my meaning clear?”

- Use of the first person: In any academic writing the repeated usage of “I” is inappropriate (as is the repetition of any word or phrase), but for many people it is preferable to use “I” occasionally instead of “the writer” or similar phrases. As with split infinitives, however, note that some conventions completely prohibit the use of “I”. In reports of experimental work, “we” is often seen as a good substitute for “I”. This is partly because the use of the first person is more necessary to describe the experimental procedure, but also, the use of the plural makes a statement of belief less a personal opinion, and more a collective viewpoint. The use of the “editorial ‘we’” is therefore often acceptable in a piece of academic writing.
- Masculine generic terms: The use of masculine generic terms such as “man” and “he” to refer to both males and females is now avoided in most academic writing. A useful alternative to generic “he” is to use plural constructions that will permit the use of “they.”

#### 4.3.2 Spelling

Poor spelling, reasonably or not, gives the impression of carelessness and laziness. Since your essay will be processed electronically, use the spell checker! But don’t rely on it exclusively—proofread your essay carefully as well.

#### 4.3.3 Quotations

Don’t quote for the sake of quoting. You should only use a quotation when you are unable to say something better, not just because you can’t be bothered to summarize a

point of view! For example, if an author has summed up their argument in one pithy phrase, then it might be worth repeating.

If you do use quotations, they should be enclosed in quote marks “like this.” Longer quotations—if absolutely necessary—may also be set off from the main body of the text, slightly indented and perhaps in a slightly smaller type size.

All quotations should always be referenced by author, date, and page number as exemplified below. 4.3.4 References

Any books or articles that you quote from (or even just mention) must be correctly referred to

in both the body of the essay and in a references or bibliography section at the end of the paper. NB:

In law or economics (as in many other fields), footnotes are never used solely to give bibliographic references. Footnotes should be used, if at all, only to add additional comments that stand well outside the main thread of the body of the text.

When you quote or refer to a work, give the author’s name, date of publication, and (if appropriate) the page number(s) in the body of the text. At the end of the essay include a references section listing alphabetically by author surname all the publications that you have mentioned in the course of your essay. The purpose of a references section is to enable people to find the books and articles to which you have referred in aid of further study and to show clearly how your essay links to the relevant literature. It’s not just so that the marker can see how much you’ve read!

## 5. Format:

- **Font:** 12pt Times New Roman

- **Spacing:** Double spaced everywhere; No extra spaces, especially between paragraphs

- **Heading:** Example of the heading on the first page of the essay (upper left corner)

- **Date** (20 April 2019)

- **Margins:** One-inch margin on the top, bottom, left and right.

- **Page Numbers:** Last name and page number must be put on every page of the essay as a “header”. Otherwise, it would go in place of the text.

- **Title:** There needs to be a proper essay title format, centered and above the first line of the essay of the same font and size as the essay itself.

- **Indentation:** Just press tab dude (1/2 inch, just in case)

- **Align:** Align to the left-hand side, and make sure it is aligned evenly.

## 6. Conclusion

Essay writing is a skill worth perfecting as the techniques you need to master in order to write good essays generalize very well to the world outside academia. Components of a good essay also relate to other communicative skills, such as giving talks or presentations.

Spending time improving your skills now certainly won’t be time wasted. Good graduates are valued for their ability to communicate and express themselves fluently through the written word. Learning to structure an argument, summarize your sources, and improve your writing style now will stand you in good stead, long after you escape from the realm of the red pen!