

 國立東華大學  
教學計劃表 Syllabus

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|-----------------------------------------------------------------------|----------------------------------------------------------------------|-----------------------------|----|------------------------------------|------------------------------------------------------------------------------------------|
| 課程名稱(中文)<br>Course Name in Chinese                                    | 專利法                                                                  |                             |    | 學年/學期<br>Academic Year/Semester    | 115/1                                                                                    |
| 課程名稱(英文)<br>Course Name in English                                    | Patent Law                                                           |                             |    |                                    |                                                                                          |
| 科目代碼<br>Course Code                                                   | DOL_20090                                                            | 系級<br>Department & Year     | 學二 | 開課單位<br>Course-Offering Department | 法律學系                                                                                     |
| 修別<br>Type                                                            | 學程 Program                                                           | 學分數/時間<br>Credit(s)/Hour(s) |    | 2.0/2.0                            |                                                                                          |
| 授課教師<br>Instructor                                                    | /張郁齡                                                                 |                             |    |                                    |                                                                                          |
| 先修課程<br>Prerequisite                                                  | /*民法總則                                                               |                             |    |                                    |                                                                                          |
| 課程描述 Course Description                                               |                                                                      |                             |    |                                    |                                                                                          |
| 透過課堂講授，讓學生具備專利法的基本知識<br>透過影片欣賞與社會議題之討論，讓學生了解專利制度的利弊，形塑社會人文關懷的涵養       |                                                                      |                             |    |                                    |                                                                                          |
| 課程目標 Course Objectives                                                |                                                                      |                             |    |                                    |                                                                                          |
| 透過課堂授課讓學生了解專利法的重要基礎理論和相關議題的司法實務見解，使學生具備未來在職場上從事相關工作所需的基本知識能力。         |                                                                      |                             |    |                                    |                                                                                          |
| 系專業能力<br>Basic Learning Outcomes                                      |                                                                      |                             |    |                                    | 課程目標與系專業能力相關性<br>Correlation between Course Objectives and Dept.' s Education Objectives |
| A                                                                     | 具備專業法律領域及基礎法學知識能力A student with the legal knowledge.                 |                             |    |                                    | ●                                                                                        |
| B                                                                     | 具關懷弱勢、服務熱誠與社會責任之內涵A student with the sense of social responsibility. |                             |    |                                    | ○                                                                                        |
| C                                                                     | 具備獨立、理性及批判思考能力A student with the ability to think independently.     |                             |    |                                    | ○                                                                                        |
| D                                                                     | 具有探索跨學門議題之能力A student with the ability of interdisciplinary research |                             |    |                                    | ●                                                                                        |
| 圖示說明Illustration：● 高度相關 Highly correlated ○中度相關 Moderately correlated |                                                                      |                             |    |                                    |                                                                                          |
| 授課進度表 Teaching Schedule & Content                                     |                                                                      |                             |    |                                    |                                                                                          |
| 週次Week                                                                | 內容 Subject/Topics                                                    |                             |    |                                    | 備註Remarks                                                                                |
| 1                                                                     | 課程介紹                                                                 |                             |    |                                    |                                                                                          |
| 2                                                                     | 課程介紹                                                                 |                             |    |                                    |                                                                                          |
| 3                                                                     | 專利權概說                                                                |                             |    |                                    |                                                                                          |
| 4                                                                     | 專利的種類                                                                |                             |    |                                    |                                                                                          |
| 5                                                                     | 生技、軟體專利                                                              |                             |    |                                    |                                                                                          |
| 6                                                                     | 專利要件                                                                 |                             |    |                                    |                                                                                          |
| 7                                                                     | 專利的申請                                                                |                             |    |                                    |                                                                                          |
| 8                                                                     | 專利審查                                                                 |                             |    |                                    |                                                                                          |

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|----|--------------------|--|
| 9  | 專利權的性質             |  |
| 10 | 期中考試週 Midterm Exam |  |
| 11 | 專利權的歸屬             |  |
| 12 | 專利的合理使用            |  |
| 13 | 強制授權               |  |
| 14 | 專利侵權的法律救濟          |  |
| 15 | 專利說明書              |  |
| 16 | 專利侵權判斷             |  |
| 17 | 期末考試週 Final Exam   |  |

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| 彈性<br>教學<br>規劃<br>Flexible<br>Teaching<br>Plan | <p>請勾選(至少需勾選1 個項目):<br/>Please tick the box(es). (At least one item is required.):</p> <div style="margin-top: 10px;"> <input type="checkbox"/> 問題討論 Problem-based Discussion<br/> <input type="checkbox"/> 翻轉教學 Flipped Classroom<br/> <input type="checkbox"/> 展演實作 Performance / Practical Presentation<br/> <input type="checkbox"/> 校外參訪 Off-campus Visit<br/> <input type="checkbox"/> 講座活動 Lecture / Seminar<br/> <input type="checkbox"/> 線上作業 Online Assignments<br/> <input checked="" type="checkbox"/> 自主學習 Self-directed Learning<br/> <input type="checkbox"/> 課業輔導 Academic Support<br/> <input type="checkbox"/> 實驗操作 Experiment Operation<br/> <input type="checkbox"/> 遠距教學(同步) Distance Learning (Synchronous)<br/> <input type="checkbox"/> 遠距教學(非同步) Distance Learning (Asynchronous)<br/> <input type="checkbox"/> 其他(請填寫) Others (Please specify.):         </div> <div style="margin-top: 20px;"> <p>備註: 本校學期週數自115 學年度起調整為17 週, 為符合1學分18 小時之原則, 請教師規劃安排彈性教學。</p> <p>Note: From the 115th academic year, the semester will be 17 weeks. Please include flexible teaching activities to meet the required 18 hours per credit.</p> </div> |
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教學策略 Teaching Strategies

- ☒ 課堂講授 Lecture ☐ 分組討論 Group Discussion ☐ 參觀實習 Field Trip  
☐ 其他 Miscellaneous:

教學創新自評 Teaching Self-Evaluation

創新教學 (Innovative Teaching)

- ☐ 問題導向學習 (PBL) ☐ 團體合作學習 (TBL) ☐ 解決導向學習 (SBL)  
☐ 翻轉教室 Flipped Classroom ☐ 磨課師 Moocs

社會責任 (Social Responsibility)

- ☐ 在地實踐 Community Practice ☐ 產學合作 Industry-Academia Cooperation

跨域合作 (Transdisciplinary Projects)

- ☐ 跨界教學 Transdisciplinary Teaching ☐ 跨院系教學 Inter-collegiate Teaching  
☐ 業師合授 Courses Co-taught with Industry Practitioners

其它 other:

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| 學期成績計算及多元評量方式 Grading & Assessments                                                                                                                   |                    |                    |          |          |          |          |          |          |                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|----------|----------|----------|----------|----------|----------|----------------|
| 配分項目<br>Items                                                                                                                                         | 配分比例<br>Percentage | 多元評量方式 Assessments |          |          |          |          |          |          |                |
|                                                                                                                                                       |                    | 測驗<br>會考           | 實作<br>觀察 | 口頭<br>發表 | 專題<br>研究 | 創作<br>展演 | 卷宗<br>評量 | 證照<br>檢定 | 其他             |
| 平時成績(含出席)<br>General Performance<br>(Attendance Record)                                                                                               | 10%                |                    |          |          |          |          |          |          | 出席率及課堂參與<br>情況 |
| 期中考成績 Midterm Exam                                                                                                                                    | 40%                | ✓                  |          |          |          |          |          |          |                |
| 期末考成績 Final Exam                                                                                                                                      | 50%                | ✓                  |          |          |          |          |          |          |                |
| 作業成績 Homework and/or<br>Assignments                                                                                                                   |                    |                    |          |          |          |          |          |          |                |
| 其他 Miscellaneous<br>(_____)                                                                                                                           |                    |                    |          |          |          |          |          |          |                |
| 評量方式補充說明<br>Grading & Assessments Supplemental instructions                                                                                           |                    |                    |          |          |          |          |          |          |                |
| 教科書與參考書目(書名、作者、書局、代理商、說明)<br>Textbook & Other References (Title, Author, Publisher, Agents, Remarks, etc.)                                            |                    |                    |          |          |          |          |          |          |                |
| 智慧財產權法(謝銘洋著)                                                                                                                                          |                    |                    |          |          |          |          |          |          |                |
| 課程教材網址(含線上教學資訊,教師個人網址請列位於本校內之網址)<br>Teaching Aids & Teacher's Website(Including online teaching information.<br>Personal website can be listed here.) |                    |                    |          |          |          |          |          |          |                |
| <a href="https://meet.google.com/ynw-mkpa-sfv">https://meet.google.com/ynw-mkpa-sfv</a>                                                               |                    |                    |          |          |          |          |          |          |                |
| 其他補充說明(Supplemental instructions)                                                                                                                     |                    |                    |          |          |          |          |          |          |                |
| 不提供加簽。                                                                                                                                                |                    |                    |          |          |          |          |          |          |                |