



YLIOPISTOTENTTILOMAKEPOHJA / UNIVERSITY EXAM TEMPLATE

Opiskelijan nimi / Student name:	Opiskelijanumero / Student number:
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Opintojakson koodi and nimi / The code and the name of the course: <b>721541S Legal issues in international business and innovation</b>	
Tiedekunta / Faculty: Oulun yliopiston kauppakorkeakoulu / Oulu Business School	
Tentin pvm / Date of exam: 8 <sup>th</sup> May 2017	Tentin kesto tunteina / Exam in hours: 3
Tentin nro / No. of the exam: 2. retake (esim. Tentti, 1. uusinta, 2. uusinta /e.g. Exam, 1. retake, 2. retake)	Opintopistemäärä / Credit units: 6
Tentaattori(t) / Examiner(s): Pia Hurmelinna-Laukkanen	Sisäinen postios. / Internal address: <b>6 OyKKK</b>
Sallitut apuvälineet / The devices allowed in the exam: <input type="checkbox"/> Nelilaskin / Standard calculator <input type="checkbox"/> Funktiolaskin / Scientific calculator <input type="checkbox"/> Ohjelmoitava laskin / Programmable calculator <input checked="" type="checkbox"/> Muu materiaali, tarkennettu alla / Other material, specified below: <b>Specific types of notes ("crib sheet", "lunttilappu"):</b> <i>One <u>A4-size</u> paper with notes; readable without any aids/help, etc.</i> <i><u>Handwritten</u> (no copies, no scanned papers, but originals)</i> <i><u>One-sided</u> (nothing on the other side)</i> <i>The <u>paper has to be left with other papers</u></i>	
Tenttiin vastaaminen / Please answer the questions: <input checked="" type="checkbox"/> Suomeksi / in Finnish <input checked="" type="checkbox"/> Englanniksi / in English	
Kysymyspaperi on palautettava / Paper with exam questions must be returned: <input checked="" type="checkbox"/> Kyllä / Yes <input type="checkbox"/> Ei / No	

## General instructions

### **Answer all questions in the exam**

**Essays:** Use max 2 pages for answering each question. For descriptive answers, discuss as many sides of the topic as possible; for comparisons, genuinely compare different aspects (instead of providing separate descriptions of each)

**Cases:** Use max 2 pages for answering the case.

When answering the questions, (1) give names/labels to all legal phenomena in the case description, (2) tell the general rules related to them briefly and (3) apply the rules to the case(s).

Note: The case descriptions may not be all-inclusive: Remember to take into account different alternatives (if a certain type of issue is present/real, then certain consequences apply; if the issue is not true, other types of consequences apply, etc.). Justification and reasoning is even more important than just plain final answer.

1)

Name one legal difference and one similarity based on national/regional features for each of the areas of law given below. Describe these shortly. You can use the table to assist drafting your responses, or describe these in a separate sheet of paper. (In case you cannot think of a similarity or difference in some specific area of law, you can add a second one into another)

Area of law	Different in different regions/nations	Similar in different regions/nations
Employment		
Advertising		
Acquiring or using intellectual property rights		
Rules for establishing a new company abroad		
Creating a valid contract		

2)

In late 2015, the CEO of a Danish firm DANTHAT has signed a contract with a research group leader and university directors in a University located in Germany. There also is a small German company involved in the project that could be a future supplier for DANTHAT. The research is multidisciplinary, and the hope is that the research collaboration will produce not only some new technologies for DANTHAT to utilize in its business, but also will assist drafting a brand for the creations from the very beginning. In other words, researchers aim to help DANTHAT both in technology development and business-related aspects while conducting their own research and publication activities. DANTHAT is prepared to provide information and materials on its existing technology and customers to the research group so as to give good starting point for the research task.

In order to ease things in practice, it is not the Danish DANTHAT employees and representatives, but representatives in the branch of DANTHAT located in Germany that participate the actual collaboration: the results are to be reported and transferred to the Danish unit of DANTHAT.

After about a year of intensive work, in 2017, one of the researchers in the German research group starts really pushing a possibility to publish the findings so as to get further feedback from the scientific community, and to get publications needed for his career development – and to get some credit for creating something genuinely new. This request is also justified with notions that the received feedback might improve the possibility of developing the findings further.

When the news about the desires of the researcher reach the CEO of DANTHAT, she turns to you to ask for advice. With this much information, you should consider what are the possible legal consequences of publishing for DANTHAT, the researcher, and the research consortium. Consider also what types of factors/activities in the international setting might have an effect on whether this is possible turns out to be a positive/negative thing. Evaluate also the original setting between the different collaboration participants; are there legal issues that might affect the overall situation in the future and if yes, what these are.

