

Essay requirements

In order to pass this part of the course, you have to write one essay that has to be accepted by the lecturers. Your task is to discuss and argue on a specific topic. You have to show that you **have read the assigned readings**, you have **critically thought about it** and you can **reflect upon these resources** and **use the sources as a ground to formulate your opinion**.

The essay should be approx. 9000 characters long (including spaces, **without** footnotes to sources used).

Do not forget to cite properly the sources you use. If you are quoting someone or using someone's ideas, refer to the source as exactly as possible (mention exact page number etc.). Preferably, use the ISO 690 citation standard with footnotes (see examples at the end of this document).

Apart from the assigned and recommended reading list, feel free to use any relevant information sources. For example, for articles and e-books, you can use ["Electronic information resources at MU" portal](#). This page allows you to search through a number of full-text databases. You can use also directly e-discovery service at discovery.muni.cz. There are also many relevant volumes in our library, please, **do use them**.

If you want to be sure that your essay will be accepted, read and follow [Strategies for Essay Writing published by Harvard College Writing Center](#). **Seriously, go read it. Now.** You can find there many useful tricks which will help you to write a good (or at least better) essay.

Topics

This part of the course is divided into three sub-parts (Intellectual Property, Personal Data in Science, Open Data in Science). For every part, there are two topics available focused on issues, on which you will write the essays. You have to pick **one topic**.

If you have any questions regarding any topic, please do contact the lecturer in charge of the specific lecture. Do not forget that you can arrange a consultation and talk about the issues. You will find the list of topics and relevant lecturers below in this document.

What happens if you fail to deliver essays and presentation

The lecturer will write you into the Information System feedback on your essay after the deadline of submission (**5. 2. 2023**). If your essay does not meet the required quality, the lecturer will tell you what should be amended, and you will have one week to correct it and upload a new version into the Information System.

If you fail to deliver an essay that will be accepted by the lecturers you will get a grade of "X" in the meaning of art. 16 section 10 of [Masaryk University study and examination regulations](#):

"In case a student does not excuse his/her absence or does not fulfil the requirements of in-term assessment or fails to fulfil requirements stipulated during the course of the semester's

teaching activities, the teacher shall record a grade of "X" in the IS MU. This grade precludes the student from registering for course completion."

List of Topics:

I) Intellectual Property (Myška/Koščík)

A) What constitutes plagiarism and how to address it?

Reading:

1. Dean, Owen. Is plagiarism unlawful?
https://www.wipo.int/wipo_magazine/en/2018/si/article_0008.html
2. Fishman, Teddi. "We know it when we see it" is not good enough: Toward a standard definition of plagiarism that transcends theft, fraud, and copyright. 2009.
<http://ro.uow.edu.au/cgi/viewcontent.cgi?article=1037&context=apcej>
3. Supporting:
Latourette, Audrey Wolfson. „Plagiarism: Legal and Ethical Implications for the University". *Journal of College and University Law* 37, no. 1 (2011 2010): 1–92.
https://is.muni.cz/auth/el/sci/podzim2020/S4002/108107881/37JCUL1.pdf?pr_edmet=1310104

B) What are the legal risks of Open Access publishing and how to mitigate them?

Reading:

- Organisation for Economic Co-operation and Development. *Legal Aspects of Open Access to Publicly Funded Research*. 2014, 42 p. Online:
[https://one.oecd.org/document/DSTI/STP\(2014\)37/en/pdf](https://one.oecd.org/document/DSTI/STP(2014)37/en/pdf)
- Organisation for Economic Co-operation and Development. *Making Open Science a Reality*, Chapter two.
- [Guide to Open Science Publishing](#)
- [Open Science in Horizon 2020 \(EU\)](#) (Please see the "Reference documents" on this webpage)

II) Personal Data in Science (Koščík)

A) Processing personal data with or without consent - When do you need consent and when can one process personal data even without consent?

1. Mostert, M., Bredenoord, A., Biesart, M. *et al.* Big Data in medical research and EU data protection law: challenges to the consent or anonymise approach. *Eur J Hum Genet* 24, 956–960 (2016) doi:10.1038/ejhg.2015.239
2. Chassang G. The impact of the EU general data protection regulation on scientific research. *Eucancermedicalscience*. 2017;11:709. Published 2017 Jan 3. doi:10.3332/ecancer.2017.709 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5243137/>
3. Staunton, C., Slokenberga, S. & Mascalzoni, D. The GDPR and the research exemption: considerations on the necessary safeguards for research biobanks. *Eur J Hum Genet* 27, 1159–1167 (2019) doi:10.1038/s41431-019-0386-5 <https://www.nature.com/articles/s41431-019-0386-5>

B) Protecting privacy in genetic research.

Reading:

1. Shabani M. Rules for processing genetic data for research purposes in view of the new EU General Data Protection Regulation, 2017, <https://www.nature.com/articles/s41431-017-0045-7.pdf>
2. Chassang G. The impact of the EU general data protection regulation on scientific research. *Eucancermedicalscience*. 2017;11:709. Published 2017 Jan 3. doi:10.3332/ecancer.2017.709 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5243137/>
3. Mostert, M., Bredenoord, A., Biesart, M. *et al.* Big Data in medical research and EU data protection law: challenges to the consent or anonymise approach. *Eur J Hum Genet* 24, 956–960 (2016) doi:10.1038/ejhg.2015.239 <https://www.ncbi.nlm.nih.gov/pubmed/26554881>

III) Open Data in Science (Míšek)

A) Who owns the data? (Legal analysis of various ownership regimes of data)

Reading:

1. Boerding, Andreas, Nicolai Culik, Christian Doepke, Thomas Hoeren, Tim Juelicher, Charlotte Roettgen, a Max V. Schoenfeld. „Data Ownership - A Property Rights Approach from a European Perspective". *Journal of Civil Law Studies* 11, č. 2 (2018): 323–70.

2. Teresa Scassa. „Ownership and control over publicly accessible platform data". *Online Information Review* 43, č. 6 (14. říjen 2019): 986–1002.
<https://doi.org/10.1108/OIR-02-2018-0053>.
3. Hugenholtz, P. Bernt. „Directive 96/9/EC". In *Concise European copyright law*, editoval Thomas Dreier a P. Bernt Hugenholtz, Second edition., 379–420. Alphen aan den Rijn, The Netherlands: Kluwer Law International, 2016.
<https://media.wolterskluwer.com/pdfs/SampleChaptersPDF/6651.pdf>.

B) What are legal limitations of publication and reuse of open science data?

Reading:

1. Borgman, Christine L. „Open Data, Grey Data, and Stewardship: Universities at the Privacy Frontier". *Berkeley Technology Law Journal* 33, č. 2 (2018): 365–412.
2. European Commission. *Guidelines on Open Access to Scientific Publications and Research Data in Horizon 2020*. 2017, 11 p. Online:
https://ec.europa.eu/research/participants/data/ref/h2020/grants_manual/hi/oa_pilot/h2020-hi-oa-pilot-guide_en.pdf
3. Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information. Online: <https://eur-lex.europa.eu/eli/dir/2019/1024/oj>

Study materials (duplicate from the IS for VUT students):

Reading on IP in general

[Intellectual Property and Universities - general Q & A](#)

[Intellectual Property at Masaryk University in a Nutshell](#)

[Q & A on IP Basics](#)

WIPO overviews:

[What is IP?](#)

[Understanding industrial property](#)

[Understanding copyright and related rights](#)

[Reading on Open Access Open Data](#)

[Guide to Open Science Publishing](#)

[Open Science in Horizon 2020 \(EU\) \(Please see the "Reference documents" on this webpage\)](#)