



# LAWS12076 *Law of Startups*

## Term 1 - 2021

Profile information current as at 21/04/2024 12:13 am

All details in this unit profile for LAWS12076 have been officially approved by CQU University and represent a learning partnership between the University and you (our student). The information will not be changed unless absolutely necessary and any change will be clearly indicated by an approved correction included in the profile.

### General Information

#### Overview

The Law of Startups is a simulation based unit designed to enable you to navigate through complex cross-disciplinary challenges facing startups involving multiple legal issues, business and ethical decisions. The focus is on practical evidence based decision making enabling you to resolve legal issues rather than pure analysis of legal authorities. The real world is messy and interconnected. The unit will immerse you in a legal simulation involving many of the following factors: Developing a pitch; Business structures; Business Risk; Financing; Intellectual property issues; Protecting confidential information and trade secrets; Licensing; Security law; Employment law – staffing issues; Taxation issues; Marketing and Advertising, Consumer law issues; Standard form contracts; Terms of use and privacy policies; and exit strategies.

#### Details

Career Level: *Undergraduate*

Unit Level: *Level 2*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

#### Pre-requisites or Co-requisites

Co-requisite: LAWS11057 Introduction to Law or LAWS11030

Important note: Students enrolled in a subsequent unit who failed their pre-requisite unit, should drop the subsequent unit before the census date or within 10 working days of Fail grade notification. Students who do not drop the unit in this timeframe cannot later drop the unit without academic and financial liability. See details in the [Assessment Policy and Procedure \(Higher Education Coursework\)](#).

#### Offerings For Term 1 - 2021

- Online

#### Attendance Requirements

All on-campus students are expected to attend scheduled classes – in some units, these classes are identified as a mandatory (pass/fail) component and attendance is compulsory. International students, on a student visa, must maintain a full time study load and meet both attendance and academic progress requirements in each study period (satisfactory attendance for International students is defined as maintaining at least an 80% attendance record).

#### Website

[This unit has a website, within the Moodle system, which is available two weeks before the start of term. It is important that you visit your Moodle site throughout the term. Please visit Moodle for more information.](#)

## Class and Assessment Overview

### Recommended Student Time Commitment

Each 6-credit Undergraduate unit at CQUniversity requires an overall time commitment of an average of 12.5 hours of study per week, making a total of 150 hours for the unit.

### Class Timetable

#### [Regional Campuses](#)

Bundaberg, Cairns, Emerald, Gladstone, Mackay, Rockhampton, Townsville

#### [Metropolitan Campuses](#)

Adelaide, Brisbane, Melbourne, Perth, Sydney

### Assessment Overview

#### 1. **Presentation**

Weighting: 40%

#### 2. **Critical Review**

Weighting: 60%

### Assessment Grading

This is a graded unit: your overall grade will be calculated from the marks or grades for each assessment task, based on the relative weightings shown in the table above. You must obtain an overall mark for the unit of at least 50%, or an overall grade of 'pass' in order to pass the unit. If any 'pass/fail' tasks are shown in the table above they must also be completed successfully ('pass' grade). You must also meet any minimum mark requirements specified for a particular assessment task, as detailed in the 'assessment task' section (note that in some instances, the minimum mark for a task may be greater than 50%). Consult the [University's Grades and Results Policy](#) for more details of interim results and final grades.

## CQUniversity Policies

**All University policies are available on the [CQUniversity Policy site](#).**

You may wish to view these policies:

- Grades and Results Policy
- Assessment Policy and Procedure (Higher Education Coursework)
- Review of Grade Procedure
- Student Academic Integrity Policy and Procedure
- Monitoring Academic Progress (MAP) Policy and Procedure – Domestic Students
- Monitoring Academic Progress (MAP) Policy and Procedure – International Students
- Student Refund and Credit Balance Policy and Procedure
- Student Feedback – Compliments and Complaints Policy and Procedure
- Information and Communications Technology Acceptable Use Policy and Procedure

This list is not an exhaustive list of all University policies. The full list of University policies are available on the [CQUniversity Policy site](#).

## Unit Learning Outcomes

**On successful completion of this unit, you will be able to:**

1. Synthesise the pitch, initial planning and imagining of an organisation structure
2. Analyse data patterns and trends to solve issues with finance and security
3. Using design and innovation to manage success, maintain cash flow and ensure sustainable growth
4. Assess a crisis and evaluate alternative solutions to avoid startup collapse
5. Compare and evaluate alternative exit strategies.

## Alignment of Learning Outcomes, Assessment and Graduate Attributes



### Alignment of Assessment Tasks to Learning Outcomes

| Assessment Tasks          | Learning Outcomes |   |   |   |   |
|---------------------------|-------------------|---|---|---|---|
|                           | 1                 | 2 | 3 | 4 | 5 |
| 1 - Presentation - 40%    | •                 | • | • | • | • |
| 2 - Critical Review - 60% | •                 | • | • | • | • |

### Alignment of Graduate Attributes to Learning Outcomes

| Graduate Attributes                                 | Learning Outcomes |   |   |   |   |
|-----------------------------------------------------|-------------------|---|---|---|---|
|                                                     | 1                 | 2 | 3 | 4 | 5 |
| 1 - Communication                                   | •                 | • | • | • | • |
| 2 - Problem Solving                                 |                   |   |   | • |   |
| 3 - Critical Thinking                               | •                 |   | • |   | • |
| 4 - Information Literacy                            |                   | • |   |   |   |
| 5 - Team Work                                       |                   |   |   |   |   |
| 6 - Information Technology Competence               |                   |   | • |   |   |
| 7 - Cross Cultural Competence                       | •                 |   |   |   |   |
| 8 - Ethical practice                                | •                 |   |   | • | • |
| 9 - Social Innovation                               | •                 |   |   |   |   |
| 10 - Aboriginal and Torres Strait Islander Cultures |                   |   |   |   |   |

### Alignment of Assessment Tasks to Graduate Attributes

| Assessment Tasks          | Graduate Attributes |   |   |   |   |   |   |   |   |    |
|---------------------------|---------------------|---|---|---|---|---|---|---|---|----|
|                           | 1                   | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 1 - Presentation - 40%    | •                   |   |   |   |   |   |   |   |   |    |
| 2 - Critical Review - 60% |                     | • | • |   |   |   |   |   |   |    |

## Textbooks and Resources

### Textbooks

LAWS12076

#### Supplementary

##### Understanding Business Law

Edition: 9 (2019)

Authors: Stephen Graw, David Parker, Keturah Whitford, Elfriede Sangkuhl, Christina Do

Lexis Nexis

ISBN: 9780409348941

Binding: Paperback

#### Additional Textbook Information

If you prefer to study with a paper copy, they can be purchased at the CQUni Bookshop here: <http://bookshop.cqu.edu.au> (search on the Unit code)

### IT Resources

#### You will need access to the following IT resources:

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)

## Referencing Style

All submissions for this unit must use the referencing style: [Australian Guide to Legal Citation, 4th ed](#)

For further information, see the Assessment Tasks.

## Teaching Contacts

**Olasupo Owoeye** Unit Coordinator

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**Stephen Colbran** Unit Coordinator

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## Schedule

### Week 1 - 08 Mar 2021

| Module/Topic                    | Chapter | Events and Submissions/Topic |
|---------------------------------|---------|------------------------------|
| Introduction to Law of Startups |         |                              |

### Week 2 - 15 Mar 2021

| Module/Topic        | Chapter                                                                                                           | Events and Submissions/Topic |
|---------------------|-------------------------------------------------------------------------------------------------------------------|------------------------------|
| Business Structures | Wong, Baumfield, Copp, Cunningham, Harpur, Company Law: An Interactive Approach (Wiley, 1st ed., 2017) pp 3 - 38. |                              |

### Week 3 - 22 Mar 2021

| Module/Topic | Chapter | Events and Submissions/Topic |
|--------------|---------|------------------------------|
|--------------|---------|------------------------------|

Employment Law [Stephen Graw et.al., Understanding Business Law \(LexisNexis, 9th ed, 2019\) pp 231 - 258.](#)

#### Week 4 - 29 Mar 2021

| Module/Topic                                  | Chapter                                                                                 | Events and Submissions/Topic |
|-----------------------------------------------|-----------------------------------------------------------------------------------------|------------------------------|
| Risk Management: Introduction to Consumer Law | Stephen Graw et.al., Understanding Business Law (LexisNexis, 9th ed, 2019) pp 261 - 281 |                              |

#### Week 5 - 05 Apr 2021

| Module/Topic                                             | Chapter                                                                                         | Events and Submissions/Topic |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------|------------------------------|
| Risk Management: Introduction to Consumer Protection Law | Stephen Graw et.al., <i>Understanding Business Law</i> (LexisNexis, 9th ed, 2019) pp 283 - 310. |                              |

#### Vacation Week - 12 Apr 2021

| Module/Topic | Chapter | Events and Submissions/Topic |
|--------------|---------|------------------------------|
|--------------|---------|------------------------------|

#### Week 6 - 19 Apr 2021

| Module/Topic                | Chapter                                                                                         | Events and Submissions/Topic |
|-----------------------------|-------------------------------------------------------------------------------------------------|------------------------------|
| Risk Management: Negligence | Stephen Graw et.al., <i>Understanding Business Law</i> (LexisNexis, 9th ed, 2019) pp 669 - 706. |                              |

#### Week 7 - 26 Apr 2021

| Module/Topic         | Chapter                                                                                         | Events and Submissions/Topic                                                                       |
|----------------------|-------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| Corporate Governance | Stephen Graw et.al., <i>Understanding Business Law</i> (LexisNexis, 9th ed, 2019) pp 493 - 528. | <b>Start-up Formation Presentation (Group Work)</b> Due: Week 7 Friday (30 Apr 2021) 11:45 pm AEST |

#### Week 8 - 03 May 2021

| Module/Topic                             | Chapter                                                                                         | Events and Submissions/Topic |
|------------------------------------------|-------------------------------------------------------------------------------------------------|------------------------------|
| Intellectual Property Rights - Copyright | Stephen Graw et.al., <i>Understanding Business Law</i> (LexisNexis, 9th ed, 2019) pp 559 - 572. |                              |

#### Week 9 - 10 May 2021

| Module/Topic                              | Chapter                                                                                         | Events and Submissions/Topic |
|-------------------------------------------|-------------------------------------------------------------------------------------------------|------------------------------|
| Intellectual Property Rights - Trademarks | Stephen Graw et.al., <i>Understanding Business Law</i> (LexisNexis, 9th ed, 2019) pp 582 - 587. |                              |

#### Week 10 - 17 May 2021

| Module/Topic                                       | Chapter                                                                                         | Events and Submissions/Topic |
|----------------------------------------------------|-------------------------------------------------------------------------------------------------|------------------------------|
| Intellectual Property Rights - Patents and Designs | Stephen Graw et.al., <i>Understanding Business Law</i> (LexisNexis, 9th ed, 2019) pp 572 - 582. |                              |

#### Week 11 - 24 May 2021

| Module/Topic     | Chapter                                                                                               | Events and Submissions/Topic |
|------------------|-------------------------------------------------------------------------------------------------------|------------------------------|
| Start-up Funding | <b>Don Hofstrand, Types and Sources of Financing for Start-up Businesses (File C5-92 April 2013).</b> |                              |

#### Week 12 - 31 May 2021

| Module/Topic | Chapter | Events and Submissions/Topic |
|--------------|---------|------------------------------|
|--------------|---------|------------------------------|

Business Ethics

Stephen Graw et.al., *Understanding Business Law* (LexisNexis, 9th ed, 2019) pp 353 - 373.

#### Review/Exam Week - 07 Jun 2021

| Module/Topic | Chapter | Events and Submissions/Topic |
|--------------|---------|------------------------------|
|--------------|---------|------------------------------|

#### Exam Week - 14 Jun 2021

| Module/Topic | Chapter | Events and Submissions/Topic                                                                                          |
|--------------|---------|-----------------------------------------------------------------------------------------------------------------------|
|              |         | <b>Critical Review of Startup Governance and Assets Management</b> Due: Exam Week Monday (14 June 2021) 11:45 pm AEST |

## Assessment Tasks

### 1 Start-up Formation Presentation (Group Work)

#### Assessment Type

Presentation

#### Task Description

Students will be presented with a set of facts relating to the creation of a new business and they will be expected to come up with suitable business structure options with a general advice on managing risks. Students will be divided into groups of 3 to 5 in performing this task.

#### Assessment Due Date

Week 7 Friday (30 Apr 2021) 11:45 pm AEST

#### Return Date to Students

Week 9 Friday (14 May 2021)

#### Weighting

40%

#### Assessment Criteria

This assessment will be assessed according to the following criteria: quality of the statement of the legal issue(s) (10%), and rules/legal principles (30%); correct and thorough analysis and application of the rules and legal principles to the legal issue(s) (40%); well thought-out conclusion (10%), and quality of the language usage and observance of proper structure, format, and instructions (10%).

#### Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)

#### Submission

Online Group

#### Submission Instructions

Assignment will be submitted online via moodle

#### Learning Outcomes Assessed

- Synthesise the pitch, initial planning and imagining of an organisation structure
- Analyse data patterns and trends to solve issues with finance and security
- Using design and innovation to manage success, maintain cash flow and ensure sustainable growth
- Assess a crisis and evaluate alternative solutions to avoid startup collapse
- Compare and evaluate alternative exit strategies.

#### Graduate Attributes

- Communication

### 2 Critical Review of Startup Governance and Assets Management

#### Assessment Type

Critical Review

**Task Description**

This task will require students to solve a problem relating to a start-up's governance, funding and IP rights management.

**Assessment Due Date**

Exam Week Monday (14 June 2021) 11:45 pm AEST

**Return Date to Students****Weighting**

60%

**Assessment Criteria**

This assessment will be assessed according to the following criteria: quality of the statement of the legal issue(s) (10%), and rules/legal principles (30%); correct and thorough analysis and application of the rules and legal principles to the legal issue(s) (40%); well thought-out conclusion (10%), and quality of the language usage and observance of proper structure, format, and instructions (10%).

**Referencing Style**

- [Australian Guide to Legal Citation, 4th ed](#)

**Submission**

Online

**Submission Instructions**

Assignment will be submitted via Moodle

**Learning Outcomes Assessed**

- Synthesise the pitch, initial planning and imagining of an organisation structure
- Analyse data patterns and trends to solve issues with finance and security
- Using design and innovation to manage success, maintain cash flow and ensure sustainable growth
- Assess a crisis and evaluate alternative solutions to avoid startup collapse
- Compare and evaluate alternative exit strategies.

**Graduate Attributes**

- Problem Solving
- Critical Thinking

## Academic Integrity Statement

As a CQUniversity student you are expected to act honestly in all aspects of your academic work.

Any assessable work undertaken or submitted for review or assessment must be your own work. Assessable work is any type of work you do to meet the assessment requirements in the unit, including draft work submitted for review and feedback and final work to be assessed.

When you use the ideas, words or data of others in your assessment, you must thoroughly and clearly acknowledge the source of this information by using the correct referencing style for your unit. Using others' work without proper acknowledgement may be considered a form of intellectual dishonesty.

Participating honestly, respectfully, responsibly, and fairly in your university study ensures the CQUniversity qualification you earn will be valued as a true indication of your individual academic achievement and will continue to receive the respect and recognition it deserves.

As a student, you are responsible for reading and following CQUniversity's policies, including the [Student Academic Integrity Policy and Procedure](#). This policy sets out CQUniversity's expectations of you to act with integrity, examples of academic integrity breaches to avoid, the processes used to address alleged breaches of academic integrity, and potential penalties.

### What is a breach of academic integrity?

A breach of academic integrity includes but is not limited to plagiarism, self-plagiarism, collusion, cheating, contract cheating, and academic misconduct. The Student Academic Integrity Policy and Procedure defines what these terms mean and gives examples.

### Why is academic integrity important?

A breach of academic integrity may result in one or more penalties, including suspension or even expulsion from the University. It can also have negative implications for student visas and future enrolment at CQUniversity or elsewhere. Students who engage in contract cheating also risk being blackmailed by contract cheating services.

### Where can I get assistance?

For academic advice and guidance, the [Academic Learning Centre \(ALC\)](#) can support you in becoming confident in completing assessments with integrity and of high standard.

### What can you do to act with integrity?



#### Be Honest

If your assessment task is done by someone else, it would be dishonest of you to claim it as your own



#### Seek Help

If you are not sure about how to cite or reference in essays, reports etc, then seek help from your lecturer, the library or the Academic Learning Centre (ALC)



#### Produce Original Work

Originality comes from your ability to read widely, think critically, and apply your gained knowledge to address a question or problem