



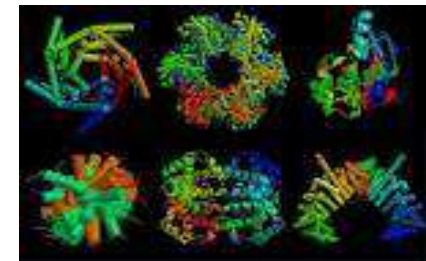
INTRODUCTION TO METHODOLOGY & RESEARCH METHODS IN LAW

UCPH, 20-21 October 2014

Practical & methodical challenges in interdisciplinary research & collaboration

Size & Complexity – Small Molecule Drugs & Proteins

	Small Molecule Drug	Large Molecule Drug	Large Biologic
Size	Aspirin 21 atoms	hGH ~ 3000 atoms	IgG Antibody ~ 25,000 atoms
Complexity	Bike ~ 20 lbs	Car ~ 3000 lbs	Business Jet ~ 30,000 lbs (without fuel)



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Faculty of Law **Intro**



- **Cross-disciplinary collaborations increasingly important.**
- **Ex.: "Horizon 2020" EU Framework Programme.**
- **Cross-disciplinary collaborations in law are double sided.**
- **Skillful combinations of different disciplines can achieve insight beyond current borders and novel solutions to complex problems.**
- **This applies also to other academic disciplines including social, political, computational and wet sciences.**
- **Such collaborations can highly rewarding but also risky.**
- **How shall we go about?**



Agenda



- I. Interdisciplinary aspects of my own research.**
- II. Ten tips for fruitful interdisciplinary collaborations.**
- III. General advise on legal methods in interdisciplinary research.**
- IV. Ex: How I tackled the method of law & technology in my PhD.**
- V. Concluding remarks.**



I. Interdisciplinary aspects of my own research (4-5 faculties)



- **Current research:**
 1. **CoNEXT:** Governng. & exploit. large Europ. research infrastruct. (ex. ESS & MAX IV) (27 mio.; coPI, WP leader & MoSC);
 2. **Global genes-local concerns-** BioBank project (24,2 mio.; coPI, WP leader & MoSC)
 3. **BioSYnergy: Synthetic Biology** - towards a Bio-Based Society (27 mio., coPI, WP leader & MoSC)
 4. **User Generated Law:** Re-constructing Law in the Knowledge Society (coPI, WP leader).
 5. PhD students in SB, **Pharma counterfeiting** and **standard setting in ICT**

- **Teaching in IPR, Pharma law & policy:**

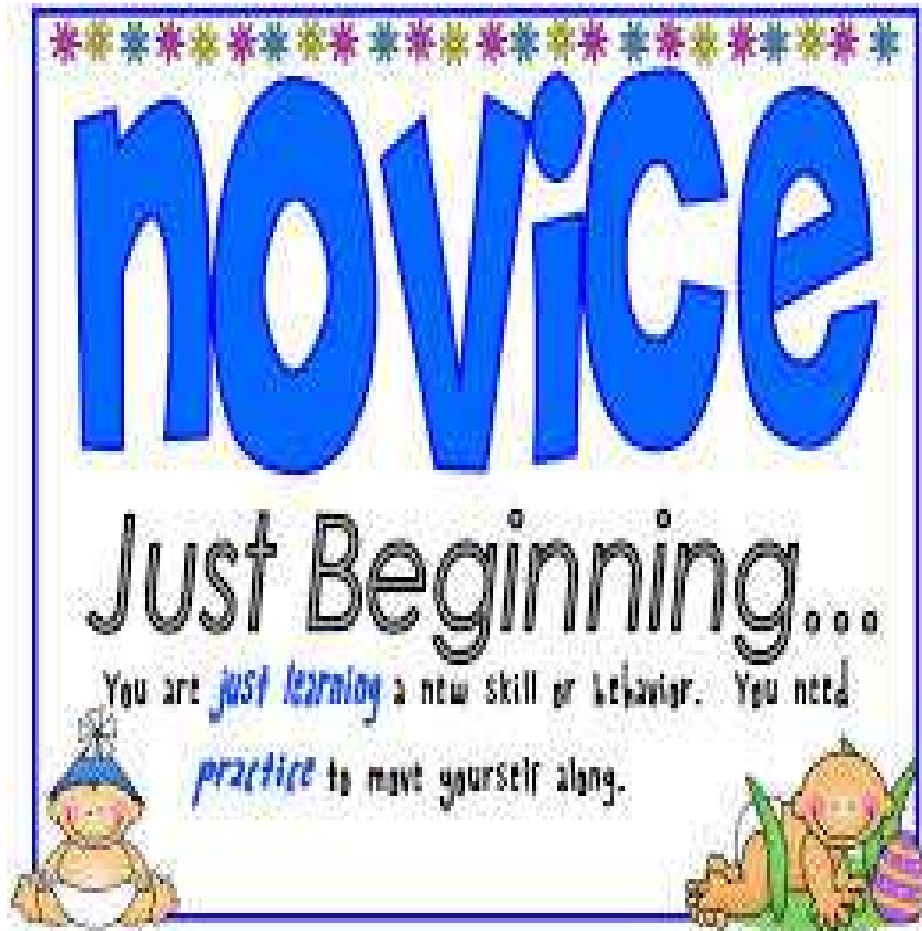
Involving students and researchers from different faculties, as well as practitioner courses



II. Ten tips for fruitful interdisciplinary collaborations.



1. Enjoy & exploit a completely new field of research





Faculty of Law **2. Do field-work**





3. Learn the basic language of other disciplines



If thought corrupts language,
language can also corrupt thought.
- George Orwell



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4. Respect the differences- ex. "data"

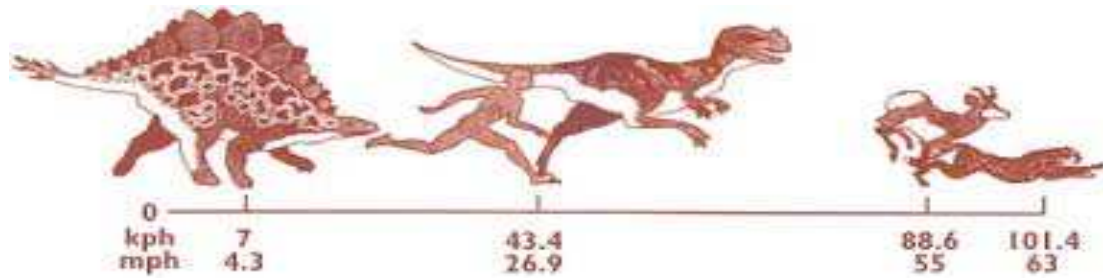


Data analysis is the process by which data becomes understanding, knowledge and insight





5. Different fields move at different speeds: do not become impatient





6. Different fields have different reward models: Know what you can expect and need



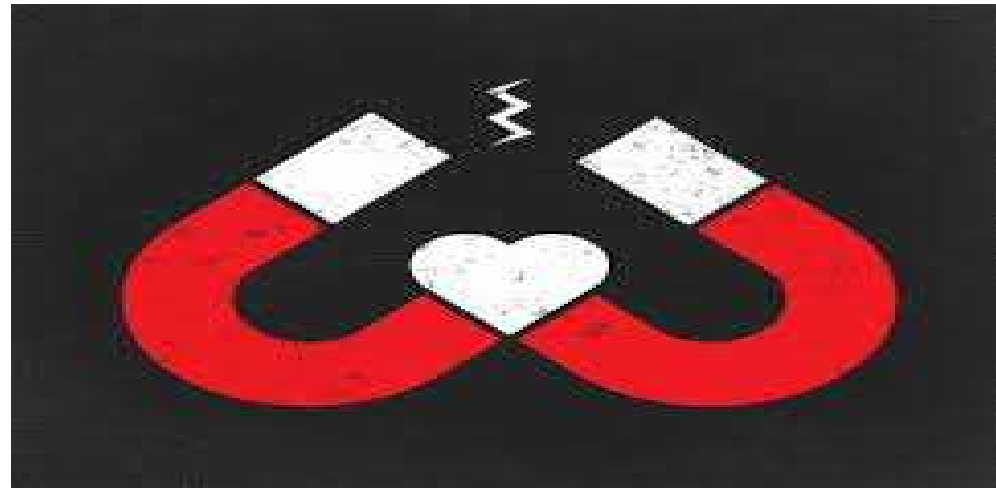


7. Assess the advantages and disadvantages of service work





8. Establish & govern structural bonds- Get married





9. Recognise when things are not working well & do something about it or- get divorced

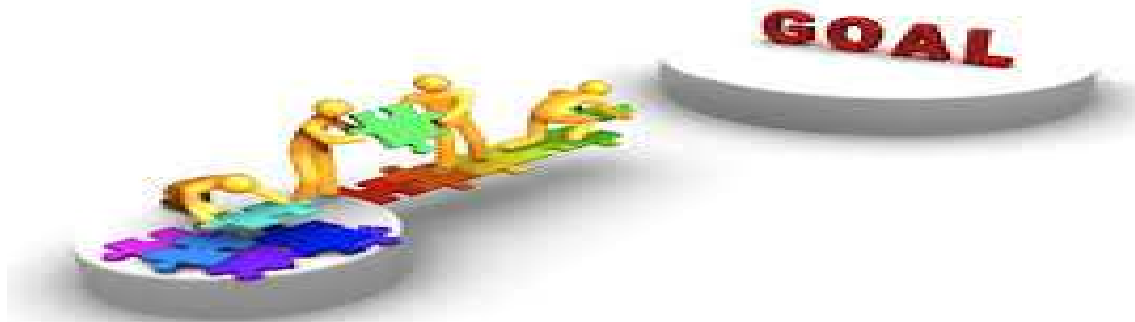




10. Be synergistic & define goals



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III. General thoughts & advise on legal methods in interdisciplinary research



- Why we need them and the link to the purpose.
- When should we determine, which methods we apply ? How do we proceed?
- A wide choice of legal methods with unclear demarcations. How to hold the line and shield your thesis from attacks by the opponent.
- Be careful with your choice and formulations. *"A good horse does not jump higher than it has to or can"*!
- Do not promise what you cannot keep
- Be realistic and do not loose sight of your particular goals and abilities!
- The "legal dogmatic method": What it can do and what it cannot do! (Pyramid example)



1.4 Methods and material

1.4.1 Main approaches: Legal dogmatics, comparative law, and law & technology

1.4.1.1 Legal dogmatics

1.4.1.2 Europe-US comparison

1.4.1.3 **Law & technology**

1.4.2 A modest expansion of the main approaches: Limited reflections on law & economics, policy, practice, behavior and history.

Note: I call the latter under 1.4.2 perspectives !



IV. How I tackled the method of law & technology in my PhD



- Started by highlighting the interface between law & technology and that the debate reg. this legal method is more developed in the US
- Highlighted the particular impact on patent law
- "Myriad" case as an example of how technological changes influence legal debates and confuse judges
- Underlined that *reaction* of law to technological changes (the "lagging behind" issue), but what about stimulating aspects and *proactive* perspectives?
- **Example:** Patent law is not only reacting to technological trends, it is also shaping these trends (ambivalent & dynamic relation-ship not really adressed be articles).
- Explained in detail how my thesis will exploit this method (scientific preface is not enough. You must also make use of it at later stages).



V. Concluding remarks



- Interdisciplinary research has **strengths**, **weaknesses**, **opportunities** & **threats** (SWOT)-
- Consider these factors carefully for your own situation and project.
- Be open - **but** also selective – be determined in what suits you best.
- Avoid being a bad economist or biologist, but use their insights in becoming better in your area of expertise.
- Think about where you need to defend your PhD (be street-smart).
- Stay in the drivers seat to avoid dilution and confusion.
- If you are very uncomfortable with one aspect/method, save it for later research endeavors.



Thank you for your attention



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Research homepage with further links:

<http://jura.ku.dk/english/staff/research/?pure=en/persons/381631>

Blog:

<http://blogs.law.harvard.edu/billofhealth/category/contributors/timo-minssen/>

Course for students in EU Pharma Law, IPR & Life Science:

<http://kurser.ku.dk/course/jjub55065u/2014-2015>

Course for professionals in Pharma Law & Policy:

<http://copenhagensummeruniversity.ku.dk/en/courses/pharmalawpolicy/>



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