

INTELLECTUAL PROPERTY RIGHTS

Programme Structure

Course Code	Course Title	Lectur es (L) Hours per week	Tutorial (T) Hours per week	Practic al (P) Hours per week	Total Credits
LAW2151	Principles of IPR	1	-	4	3
LAW2251	Patent Law and Practices	1	-	4	3
LAW2351	Copyright Law and Practices	1	-	4	3
LAW2451	Trademark Law and Practices	1	-	4	3
LAW2551	Emerging Issues and Challenges	1	-	4	3
LAW2651	Future Aspects of Intellectual Property Rights	1	-	4	3
	TOTAL				18

INTELLECTUAL PROPERTY RIGHTS

Syllabus - Semester First

PRINCIPLES OF IPR

Course Code: LAW2151

Credit Units: 03

Course Contents

The course is designed to provide comprehensive knowledge to the students regarding the general principles of IPR, Concept and Theories, Criticisms of Intellectual Property Rights, International Regime Relating to IPR

Module I

Introduction to Intellectual Property Rights
Concept and Theories
Kinds of Intellectual Property Rights
Economic analysis of Intellectual Property Rights
Need for Private Rights versus Public Interests
Advantages and Disadvantages of IPR.

Module II

Criticisms of Intellectual Property Rights
Politics of Intellectual Property Rights
Third World Criticisms
Marxist Criticisms

Module III

International Regime Relating to IPR
TRIPS and other Treaties (WIPO, WTO, GATT)

Examination Scheme

Components	P/S/V	CT	A	C	EE
Weightage (%)	10	10	05	5	70

Text & References:

- D.P. Mittal (Taxman Publication), Indian Patents Law and Procedure
- B.L. Wadera, Patents, trademarks, copyright, Designs and Geographical Judications.
- P. Narayanan (Eastern Law House), Intellectual Property Law
- N.S. Gopalakrishnan & T.G. Agitha, Principles of Intellectual Property (2009), Eastern Book Company, Lucknow

Syllabus - Semester Second

PATENT LAW AND PRACTICES

Course Code: LAW2251

Credit Units: 03

Course Objective

The course is designed to provide comprehensive knowledge to the students regarding Indian position of the Patent Law (1970), Historical development, Procedure for granting a patent, Infringement.

Module I

Research exemption Introduction to Patents
Overview
Historical development
Concepts, Novelty, Utility
Inventiveness/Non-obviousness

Module II

Patent Act 1970 – amendments of 1999, 2000, 2002 and 2005
Patentable subject matter, Patentability criteria, non-patentable inventions
Pharmaceutical products and process and patent protection
Software Patents
Patenting of Micro-organism

Module III

Rights of patentee
Procedure for granting a patent and obtaining patents
Grounds for opposition
Working of Patents, Compulsory License
Acquisition, Surrender, Revocation, restoration
Transfer of patent rights,

Module IV

Infringement
What Is Infringement? Direct, Contributory, and Induced
How Is Infringement Determined? Who Is an Infringer?
Official Machinery, Controller, Powers and Functions
Defences to Infringement

Examination Scheme

Components	P/S/V	CT	A	C	EE
Weightage (%)	10	10	05	5	70

Text & References:

- Sookman, Computer Law, 1996
- N.S. Gopalakrishnan & T.G. Agitha, Principles of Intellectual Property (2009), Eastern Book Company, Lucknow
- Dr. B.L. Wadhwa, Law Relating to Patent, Trademarks, Copyright & Designs
- P. Narayanan (Eastern Law House), Intellectual Property Law

Syllabus - Semester Third

COPYRIGHT LAW AND PRACTICES

Course Code: LAW2351

Credit Units: 03

Course Objective

The course is designed to provide comprehensive knowledge to the students regarding Indian position of the Copyright Law, 1957, Historical background and Development of Copyright Law, Infringement.

Module I

Copyright and Neighbouring Rights
Concept and Principles
Historical background and Development of Copyright Law
Leading International Instruments, Berne Convention, Universal Copyright Convention,
International Copyright under Copyright Act
WIPO Phonograms and Performances treaty

Module II

Copyright Act, 1957
Terms of Copyright
conditions for grant of copyright,
extent of rights exception to copyright protection,
fair use provision, assignment and licensing,
Copyright in Literary, Dramatic and Musical ,Works, Sound Recording, Cinematograph
Films,
Copyright in Computer Programme, Author Special Rights, Right of Broadcasting and
performers,

Module III

Copyright Registrar and Copyright Board-Power and Procedure
Copyright Societies,
Ownership, Assignment, Licence, Translation of Copyright,
Compulsory Licences,
Infringement-Criteria of Infringement, Infringement of Copyright-Films,
Literary and Dramatic works, Importation and Infringement.

Examination Scheme

Components	P/S/V	CT	A	C	EE
Weightage (%)	10	10	05	5	70

Text & References:

- P. Narayanan (Eastern Law House), Intellectual Property Law
- W. Cornish (Universal Publication), Intellectual Property Law
- R.K. Nagarjan, Intellectual Property Law
- Ganguli (Tata Megraw), Intellectual Property Rights

Syllabus - Semester Fourth

TRADEMARK LAW AND PRACTICES

Course Code: LAW2451

Credit Units: 03

Course Objective

The course is designed to provide comprehensive knowledge to the students regarding Indian position of the Trademark Act, 1999, Historical development of the concept of trademark and trademark law, Registration of trademark, Infringement of trademark.

Module I

Historical development of the concept of trademark and trademark law-National and International
Introduction to Trademarks
Need for Protection.
Kinds of trademarks
Concept of Well known trademark

Module II

Registration of trademark
Grounds of refusal of registration
 Absolute ground
 Relative ground
Procedure of registration of trademark
opposition and its grounds

Module III

Infringement of trademark
Passing off
Deceptive similarity
Defences
Remedies for infringement and passing off
 Civil remedies
 Criminal remedies

Examination Scheme

Components	P/S/V	CT	A	C	EE
Weightage (%)	10	10	05	5	70

Text & References:

- P. Narayanan (Eastern Law House), Intellectual Property Law
- W. Cornish (Universal Publication), Intellectual Property Law
- R.K. Nagarjan, Intellectual Property Law
- Ganguli (Tata Megraw), Intellectual Property Rights

Syllabus - Semester Fifth

EMERGING ISSUES AND CHALLENGES

Course Code: LAW2551

Credit Units: 03

Course Objective

The course is designed to provide comprehensive knowledge to the students regarding the effect of IPR especially of patents on emerging issues like public health, climate, Domain Name Disputes and Cyber squatting, Bio piracy etc. and the ways to tackle this problem,

Module I

Public health and Intellectual Property Rights
Case study—Novartis Pharmaceuticals
Bayer Pharmaceuticals

Module II

TRIPS Flexibilities and access to medicine
IPR and Climate change
Patents and Biotechnology

Module III

Traditional knowledge and IPR
Bio piracy
Domain Name Disputes and Cyber squatting

Examination Scheme:

Components	P/S/V	CT	A	C	EE
Weightage (%)	10	10	05	5	70

Text & References:

- Merges, Patent Law and Policy: Cases and Materials, 1996
- Brian C. Reid, A Practical Guide to Patent Law, 2nd Edition, 1993
- Brinkhof (Edited), Patent Cases, Wolters Kluwer
- Prof. Willem Hoyng & Frank Eijsvogels, Global Patent Litigation, Strategy
- Hilary Pearson and Clifford Miller, Commercial Exploitation of INtellectual Property

Status Prescribed :

- The Patent Act, 1970
- The Copyright Act, 1957
- The Trade Marks Act. 1999

Syllabus - Semester Sixth

FUTURE ASPECTS OF INTELLECTUAL PROPERTY RIGHTS

Course Code: LAW2651

Credit Units: 03

Course Objective

The course is designed to provide comprehensive knowledge to the students regarding the effect of IPR especially of patents on emerging issues like public health, climate, Domain Name Disputes and Cyber squatting, Bio piracy etc. and the ways to tackle this problem,

Module I

Concept of property in Cyberspace

Implications on intellectual property Rights: International & National legal preparedness
Application of copyright Act 1957,
Scope of protection of computer program
Applications of patents to computer technology

Module II

Competition Law and Intellectual Property Rights: Confronting Paradigms

Introduction
What is Competition Policy and Law?
IPRs and IPRs Policy.
Framing the Competition-IPRs Relationship.

Module III

Case study related to both modules.

Examination Scheme:

Components	P/S/V	CT	A	C	EE
Weightage (%)	10	10	05	5	70

Text & References:

- W.R. Cornish, Intellectual Property, Sweet & Maxwell, London (2000)
- Avtar Singh, Competition Law, Eastern Book Company
- Dr. H. K. Saharay, Textbook on Competition Law, Universal Publications
- Brinkhof (Edited), Patent Cases, Wolters Kluwer
- Hilary Pearson and Clifford Miller, Commercial Exploitation of Intellectual Property