UNIT – I: Introduction to Intellectual Property (Lectures 10)

a. Concept & Meaning of Intellectual Property
c. Origin and Development of Intellectual Property
d. Kinds of Intellectual Property

UNIT – II: Theories of Intellectual Property (Lectures 10)

a. Justification and Rationale for Protecting Intellectual Property
b. Balancing the Protection of IPR and Public Policy Objective
c. Theories of IPR:
   i. Natural Theory
   ii. Hegelian Philosophy (Personality Theory)
   iii. Lockes’ Theory of Property (Labour Theory)
   iv. Social Contract Theory
   v. Social Planning Theory
   vi. Incentive Theory
   vii. Reward Theory
   viii. Prospect Theory
   ix. Schumpeterian Theory
   x. Economic Theory

UNIT – III: International Institutions and Basic International Conventions (Lectures 10)

a. Paris Convention for the Protection of Industrial property, 1883
b. The Berne Convention, 1886
c. TRIPS Agreement, 1994
d. International Institutions Concerned with Intellectual Property

UNIT – IV: Contemporary Issues in IPR (Lectures 10)

a. Interface between IPR and Human Rights
b. Interface between IPR and Competition Law
c. IPR and sustainable development
d. The Impact of Internet on IPR
e. IPR Issues in Biotechnology
f. E-Commerce and IPR issues

Text Books:


References:

UNIT – I: Introduction to Copyright (Lectures 10)

a. Introduction
   i. Evolution of Copyright Law in India
   ii. Nature and Scope of Copyright
   iii. Pre-requisites for Copyright
   iv. Copyright and its relationship with other IPRs

b. International Conventions and Treaties
   i. Berne Convention for the Protection of Literary and Artistic Works, 1883
   ii. Universal Copyright Convention, 1952
   iii. TRIPS Agreement, 1994
   iv. WIPO Copyright Treaty, 1996
   v. International Copyright Order, 1999

UNIT – II: Subject Matters of Copyright (Lectures 10)

a. Work in which Copyright Subsists
b. Authorship vis-a-vis Ownership
c. Copyrights: Economic and Moral Rights
d. Duration of Copyright
e. Copyright Issues in Digital Environment
f. Assignment and Licensing

UNIT – III: Limitations, Infringement & Enforcement of Copyright (Lectures 10)

a. Limitation and Exceptions of Copyright
b. Infringement
c. Remedies
d. Enforcement of Copyright at National and International Level

UNIT – IV: Neighboring Rights (Lectures 10)

a. Origin and Development
b. Rationale for Protection
c. Copyright vis-a-vis Neighboring rights
d. International Treaties:
   i. Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations 1961
ii. Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms Phonograms Convention, 1971

iii. Brussels Satellites Convention, 1974

iv. TRIPS Agreement, 1994

v. WIPO Performances and Phonograms Treaty, 1996


e. Performers Rights

f. Broadcasting organizations rights

g. Rights of the Producers of Phonograms

h. Economic and Moral Rights

i. Exceptions

j. Infringement and Remedies

Text Books:


References:

UNIT – I: Introduction (Lectures 10)

- Evolution of Patents in India
- International Treaties on Patents
  - Paris Convention
  - TRIPS
  - Budapest Treaty
  - PCT

UNIT – II: Patentability and Procedures for Grant of Patents (Lectures 10)

- Patentable and Non Patentable Inventions
- Pre-requisites – Novelty, Inventive Step, Industrial Application
- Prior Art, Anticipation, & Person Skilled in the Art
- Procedures for Filling Application
- Specifications – Provisional and Complete Specifications
- Priority dates
- Pre-Grant and Post Grant Opposition
- Grant and sealing of Patents
- Rights of Patentee
- Term of Patent
- Surrender and Revocation of patents
- Restoration

UNIT – III: Limitations, Exceptions & Infringements (Lectures 10)

- Licencing – Voluntary & Non –Voluntary
- Assignment
- Fair Use
- Use and acquisition of inventions by Central Government
- Parallel Imports
- Claim Interpretations and Constructions
- Infringements & Remedies


- Controller General of Patents
- Patent Examiners
- Patent Agents
- IPAB
- Emerging Issues
i. Patents & Computer Programs
ii. Business Methods & Utility Patents
iii. Bio-Informatics Patents
iv. Patent and Human Right Issues

Text Books:


References:

UNIT-I: Introduction

a. Evolution of Trademark in India
b. Justification
c. International Treaties:
   i. Paris Convention
   ii. Madrid Agreement and Protocol
   iii. NICE Agreement
   iv. Trademark Law Treaty
   v. Singapore Law Treaty
   vi. TRIPS
d. Kinds of Trademarks: Registered and Unregistered Trademarks, Conventional & Non-Conventional Trademarks, Service Mark, Collective Marks, Certification Marks, Well Known Trademarks

UNIT-II: Registration of Trademarks

a. Pre-requisites
b. Absolute and Relative Grounds for Refusal of Registration
c. Concept of Deceptive Similarity and its Applicability in Registration
d. Procedure for Registration
e. National and International Registration

UNIT-III: Commercial Exploitation of Trademarks and IPAB

a. Rights of Proprietor
b. Assignment, Licensing and Transmission of Trademark
c. IPAB

UNIT-IV: Infringement and Passing off

a. Infringement
b. Goodwill and Passing off
c. Remedies
d. Trademark Issues in Cyberspace

Text Books:


References:


UNIT-I: Industrial Designs

a. Introduction
b. Evolution
c. Justification
d. International Treaties
   i. Paris Convention
   ii. Hague Agreement
   iii. Locarno Agreement
   iv. TRIPS
e. Industrial Design Act, 2000
f. Interface Between Design, Copyrights and Trademarks

UNIT-II: Semiconductor and Layout Designs

a. Introduction
b. Evolution
c. Justification
d. International Treaties:
   i. Washington Treaty
   ii. TRIPS

   The Semiconductor Integrated Circuits Layout-Designs Act, 2000

UNIT III: Geographical Indications-I

a. Introduction
b. Evolution
c. Justification
d. International Treaties:
   i. Paris Convention
   ii. Madrid Agreement
   iii. Lisbon Agreement
   iv. TRIPS Agreement
UNIT-IV: Geographical Indications-II (Lectures-10)

a. Protection of GI at National Level
b. Geographical Indication of Goods (Protection & Registration) Act, 1999
c. Higher Level of Protection of GIs and TRIPS, Article 23 Controversy
d. Genericides of Geographical Indications

Text Books:

2. Latha R Nair & Rajendra Kumar, Geographical Indications: A Search For Identity, Lexis Nexis, 2005

References:

1. Tapan Kumar (Ed.), WTO, TRIPS and GIs, New Century Publications, 2014
UNIT – I: Introduction

a. Introduction to Plant Varieties – Law & Science
b. Evolution of Plant Patents & Plant Varieties Protection
c. Justification for IP Protection
d. UPOV
e. Essential Requirements- NDUS
f. Kinds of Varieties
g. Registration of Varieties

UNIT – II: Rights, Limitations & Infringement

a. Exclusive Rights
b. Breeders’ Rights v. Farmers’ Rights
c. Researcher’s Rights; Farmers’ rights and Rights of Communities
d. Compulsory Licence
e. Benefit Sharing
f. Infringement & Remedies

UNIT – III: Traditional Knowledge (TK)

b. Need for protection of TK
   i. Equity Considerations
   ii. Conservation Motive
   iii. Preservation of Traditional Practices and Cultures
   iv. For Indigenous Peoples’ Participation in Development Process
   v. To Facilitate Access
   vi. For the Conservation of Environment and Management of Bio Diversity
c. International Initiatives on TK Protection
   i. Rio Declaration on Environment and Development (1992)
   ii. The Convention on Biological Diversity, 1992
iii. Bonn Guidelines on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising out of their Utilization, 2002
v. The FAO International Code of Conduct for Plant Germplasm Collecting and Transfer, 1993
vi. Convention Concerning Indigenous Peoples in Independent Countries, 1986
ix. The Mataatua Declaration on Cultural and Intellectual Property Rights of Indigenous Peoples, 1993
x. Doha Ministerial Declaration, 2001
xi. UN Declaration on the Rights of Indigenous Peoples, 2007
xii. The Nagoya Protocol, 2010
xiv. Other TRIPS Plus initiatives
d. International bodies and Institutions responsible for the Protection of TK

UNIT – IV: Traditional Knowledge and IPR (Lectures -10)

a. Interface between IPR & TK
i. Protection of Traditional Knowledge under the Existing Modes of Intellectual Property and Issues thereof
ii. Concepts of Prior Informed Consent (PIC) and Agreement to befit sharing (ABS)

b. National Initiatives
ii. TKDL
iii. Need for a sui generis protection

Text Books:


References:


The evaluation of the Dissertation and Viva Voce will be conducted by a Board of Examiners comprising of Dean, Supervisor and senior most faculty member and an External Examiner with the approval of the Hon’ble Vice Chancellor.