



# KARNATAKA STATELAW UNIVERSITY

Accredited with 'A' Grade by NAAC  
Navanagar, HUBBALLI - 580 025.

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Ref. No. KSLU/Acad/BOSPG/2022-23/

Date: 14.12.22

## Office Note

- Sub: Introduction of Revised Syllabus for Intellectual Property Rights Laws and Criminal Laws Specialisation of 2 Year LL.M. Programme from the Academic Year 2022-23.
- Ref: 1) Board of Studies (PG) Meeting Proceedings dated 9-12-2022  
2) Hon'ble Vice Chancellor's approval dated 14-12-2022

With reference to the above, this is for the information that, Syllabus for Intellectual Property Rights Laws and Criminal Laws Specialisation of 2 Year LL.M. Programme has been revised. This revised syllabus will come into effect from the Academic Year 2022-23. A copy of the revised syllabus is enclosed herewith for your reference.

The same shall be brought to the notice of all the teachers and students.

Encl: As above

To  
The Director, KSLU Law School, Navanagar, Hubballi.

  
Registrar

Copy to:

- 1) Special Officer to Hon'ble Vice Chancellor, KSLU, Hubballi.
- 2) P.S to Registrar, KSLU, Hubballi.
- 3) P.S. to Registrar (Eval.), KSLU, Hubballi along with a copy of the revised syllabus for information and needful action.
- 4) Dy. Registrar / Asst. Registrar (Academic & Administration), KSLU, Hubballi.



**Registrar**

Karnataka State Law University  
Navanagar, Hubballi-580 025.



**IQAC COORDINATOR**  
Karnataka State Law University  
Hubballi-25.



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## Academic Section (Board of Studies)

Proceedings of the Board of Studies (P.G.) meeting held on 09-12-2022 at 10.30 a.m. in the Conference Hall of the Karnataka State Law University, Hubballi.

### Members present:

1	Prof. (Dr.) Ratna R. Bharamgoudar, Director, KSLU's Law School, Hubballi	Chairperson
2	Prof. (Dr.) G.B. Patil, Professor and Dean KSLU, Hubballi	Member
3	Prof. (Dr.) Suresh V. Nadagoudar, Principal, Chairman & Dean, University Law College & Department of Studies in Law, Bangalore University, Bengaluru. (Online)	Member (External)
4	Prof. (Dr.) J.M. Mallikarjunaiah, Principal, KLES Law College, Bengaluru (Online)	Member (External)
5	Dr. Satish Gowda N., Associate Professor, University Law College & Department of Studies in Law, Bangalore University, Bengaluru.	Member (External)
6	Dr. Rajendrakumar Hittanagi, Assistant Professor, KSLU Law School, Hubballi.	Member
7	Sri Girish K.C., Assistant Professor, KSLU Law School, Hubballi.	Member

### Special Invitees:

8	Dr. Bheemabai S. Mulage, Assistant Professor, KSLU Law School, Hubballi.	Special Invitee
9	Dr. Archana K. Assistant Professor, KSLU Law School, Hubballi	Special Invitee

### Leave of Absence:

1	Prof. (Dr.) Chidananda S. Patil, Professor, KSLU Law School, Hubballi.	Member
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The Chairperson welcomed all the members of the Board of Studies.

The members of the Board deliberated on the agenda item elaborately and resolved as under:

#### Item No.1

Revising of 2 years LL.M. Syllabus for Intellectual Property Rights Laws and Criminal Law Specializations.

**Resolution:**

The draft of the revised syllabus, of 2 years LL.M. for Intellectual Property Rights Laws and Criminal Law specializations as below were placed before the board:

**A) Intellectual Property Rights Laws Specialization:**

Paper – I: Conceptual Study of Industrial and Intellectual Property Rights

Paper – II: Law of Patents

Paper – III: Law of Trade Marks

Paper – IV: Law of Copyrights

Paper – V: Law of Designs, Integrated Circuits, Geographical Indications and Confidential Information

Paper – VI: Law of Intellectual Property and Plant Varieties

Paper – VII: Law of Intellectual Property and Biodiversity

Paper – VIII: Law of Intellectual Property and Information Technology

Paper – IX: Law of Intellectual Property Rights, Human Rights and Environment

The board looked into the draft of the revised syllabus of Intellectual Property Rights Laws Specialization and suggested certain changes. The suggested changes were incorporated in the draft of the revised syllabus and it was unanimously resolved to approve the revised syllabus. The copy of the revised syllabus is enclosed as Annexures 1 to 9.

**B) Criminal Law Specialization:**

The Board members elaborately discussed the specialization papers that are to be offered for Criminal Law specialization, and after lot of application of mind the board considered and approved the following papers.

Paper – I: Crime, Criminology and Crime Prevention

Paper – II: Penology: Treatment of Offenders

Paper – III: Privileged Class Deviance

Paper – IV: Drug Addiction, Criminal Justice and Human Rights

Paper – V: Juvenile Delinquency

Paper – VI: Collective Violence and Criminal Justice System

Paper – VII: Comparative Criminal Procedure

Paper – VIII: Victim and Criminal Justice System

Paper – IX: Crimes affecting Security and Public Order

The Board looked into the draft of revised syllabus of Paper-I and Paper-II and suggested certain changes. The suggested changes were incorporated in the draft of the revised syllabus and it was unanimously resolved to approve the revised syllabus. The copy of the revised syllabus is enclosed as Annexures 10 and 11.

As a first step the revised syllabus of Paper-I and Paper-II of Criminal Law Specialization were approved. It was further resolved that for the remaining papers i.e., Paper -III to Paper-IX of Criminal Law Specialization, the revising of the syllabus is to be undertaken and to be submitted to the Chairperson of PG BOS

**Item No.2**

**Any other matter with the permission of the Chair.**

**A. Revised syllabus to come into effect from the Academic Year 2022-23.**

**Resolution:**

It was resolved to recommend to the University to adopt the revised syllabus for Nine papers of Intellectual Property Rights Laws specialization and Nine papers of Criminal Law Specialization from the Academic Year 2022-23 as appended in Appendix 01 to 11.

The meeting concluded with thanks to the Chair.

**Chairperson of the Board of Studies (PG)**

To,  
All the Members of the Board of Studies (PG)

**IQAC COORDINATOR**  
Karnataka State Law University

**Registrar**  
Karnataka State Law University  
Naganagar, Hubballi-580 025

**Two Years LL.M. Syllabus 2022-23**

**INTELLECTUAL PROPERTY RIGHTS LAWS**

- Paper-I : Conceptual Study of Industrial and Intellectual Property Rights**
- Paper-II : Law of Patents**
- Paper-III : Law of Trade Marks**
- Paper-IV : Law of Copyrights**
- Paper-V : Law of Designs, Integrated Circuits, Geographical Indications and Confidential Information**
- Paper-VI : Law of Intellectual Property and Plant Varieties**
- Paper-VII : Law of Intellectual Property and Biodiversity**
- Paper-VIII : Law of Intellectual Property and Information Technology**
- Paper-IX : Law of Intellectual Property Rights, Human Rights and Environment**

  
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**Two Years LL.M. Syllabus 2022-23**

**INTELLECTUAL PROPERTY RIGHTS LAWS**

**PAPER -I: CONCEPTUAL STUDY OF INDUSTRIAL AND INTELLECTUAL PROPERTY RIGHTS**

**Objectives:** This paper focuses on the conceptual analysis of industrial property in different forms and at different times. Taking into account the industrialisation and post-industrialisation era in which, a shift has occurred in the concept and meaning of property and specifically intellectual property.

**UNIT: I** - Meaning and nature of property and intellectual property, characteristics of industrial property and non-industrial property and intellectual property, comparison and distinction between the industrial and non-industrial (intellectual property); Origin and Development of Intellectual Property.

**UNIT: II** - Need for intellectual property rights; rationale for protection of IPR; Theories of IPR: Natural Law Theory, Hegelian Philosophy (Personality Theory), Lockes' Theory of Property (Labour Theory), Incentive Theory, Reward Theory, Prospect Theory, Schumpeterian Theory.

Impact of IPR on Development, health, agriculture and generic resources; impact on traditional life styles, indigenous peoples and farmers.

**UNIT: III** - Different types of industrial property; Salient features of national legal regime on Industrial property: The Patents Act, 1970, the Trade Marks Act, 1999 and Designs Act, 2000; Highlights of international instruments such as TRIPs, and Paris Convention.

**UNIT: IV** - Salient features of national legal regime on Copyright and allied rights. Highlights of international instruments such as TRIPs Agreement, and Berne Convention.

**UNIT: V** - Introduction of new forms of intellectual property rights in India after TRIPs Agreement: Salient features of the Geographical Indications of Goods (Registration and Protection) Act, 1999 and Protection of Plant Varieties and Farmers' Rights Act, 2001; Trade secrets; Integrated circuits.

### **Prescribed Books:**

1. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
2. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.
3. Ranabhir Singh, Law Relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.
4. Jayashree Watal, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press, New Delhi (2008).
5. Elizabeth Verky, Intellectual Property, Eastern Book Publication Co., Nagpur.
6. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.
7. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.

### **Reference Books:**

1. Peter Drahos, A Philosophy of Intellectual Property, Dartmouth Publications Co., 1996.
2. William Cornish and David Llewelyn, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Sweet and Maxwell, London (2003).
3. Campbell, Dennis and Susan Cotter (Eds.), International Intellectual Property Law: Global Jurisdictions, John Wiley & Sons, UK (1996).
4. D'Amato and Anthony, International Intellectual Property Anthology, Anderson Publishing Co., Cincinnati, Ohio (1996).
5. Doern and G. Bruce, Global Change and Intellectual Property Agencies: Institutional Perspective, Pinter, London and New York (1999).
6. R.M. Gadbow and T.J. Richards, Intellectual Property Rights: Global Consensus, Global Conflicts?, Westview Press, Boulder, Colorado (1998).
7. Alan S. Gutterman and Bentley J. Anderson, Intellectual Property in Global Markets, Kluwer Law International, London, The Hague, Boston (1997).

8. Hilary E. Pearson and Clifford G. Miller, *Commercial Exploitation of Intellectual Property*, Universal Law Publishing Co. Pvt. Ltd., Delhi (1997).
9. P. Narayanan, *Intellectual Property Law*, 4th edn., Eastern Law House, New Delhi and Kolkata (2006).
10. Prabuddha Ganguly, *Intellectual Property Rights: Unleashing the Knowledge Economy*, Tata McGraw-Hill Publishing Company Limited, New Delhi (2001).
11. Bibek Debroy (Ed.), *Intellectual Property Rights*, B.R. Publishing Corporation (India) Ltd. (1998).
12. Guttina Leela (Ed.) and V.C. Vivekanandan (Series Ed.), *International Treaties and Conventions on IPR, Module IV*, NALSAR Proximate Education, NALSAR University of Hyderabad.
13. Daniel Gervais, *The TRIPs Agreement: Drafting History and Analysis*, Sweet and Maxwell, London (1998).
14. Susan K Sell, *Private Power, Public Law: The Globalization of Intellectual Property Rights*, Cambridge University Press, 2003.

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**INTELLECTUAL PROPERTY RIGHTS LAWS**

**PAPER – II: LAW OF PATENTS**

**Objectives:**

The development of technology and improvements in industrial techniques, which are essential for the economic welfare of human society, which depend largely on the growth of inventions capable of industrial application. A system of granting a limited monopoly to the inventors in return for the research and disclosure of the invention to the public called patents has developed in almost all countries and engaged in their protection by entering into international treaties and agreements. The subject of patent law requires its detailed study by the students in view of the above significance attached to the patent legal framework.

**UNIT: I** – Basic requirements of Patents; Indian and International history of patent laws; distinction between the invention, discovery and patent; importance of inventions for technological and socio-economic growth of the country in particular and world in general; theoretical justifications for Patent Protection.

**UNIT: II** –Basic principles underlying the patent law in India compared with other national patent systems of U.K., U.S. and E.U.; meaning and nature of patent; meaning of ‘invention’, ‘novelty’, ‘inventive step’ and ‘capable of industrial application’; patentable and non-patentable inventions.

The salient features of the Indian Patent Act, 1970 as amended till date- shift from process patenting to product patenting in food, drug and chemicals.

**UNIT: III** – Procedure to obtain patent, patents of addition, specification- provisional and complete specification, amendments of application and specifications, pre and post grant opposition to grant of patent and grounds for opposition, sealing of patents, term of protection; Rights and obligations of a patentee, transfer of patent rights, Powers of the controller.

**UNIT: IV** –Powers of the central government: use of inventions for the purposes of government and acquisition of invention by central government.

Appeals and appellate board, abuse of patent rights, compulsory licence, revocation: grounds of revocation of a patent; infringement of patents, action for infringement, reliefs and remedies upon the infringement of patent.

**UNIT: V** –Salient features of international legal instruments on patents: Paris Convention for the Protection of Industrial Property, 1883(Relevant provisions); TRIPs Agreement, 1994 (Relevant provisions); Patent Co-operation Treaty, 1970;

WIPO Patent Law Treaty (PLT), 2000; WIPO Substantive Patent Law Treaty (SPLT); Budapest Treaty on International Recognition of the Deposit of Micro-organisms for the Purpose of Patent Procedure, 1977.

**Prescribed Books:**

1. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
2. P. Narayanan, Patent Law, 4<sup>th</sup> Edn., Eastern Law House, New Delhi and Kolkata (2006).
3. Elizabeth Verky, Intellectual Property, Eastern Book Publication Co., Nagpur.
4. Jayashree Watal, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press, New Delhi (2001).
5. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.
6. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.

**Reference Books:**

1. Graeme B. Dinwoodie, William O. Hennessey and Shira Perlmutter, International and Comparative Patent Law, LexisNexis, New Jersey (2002).
2. William Cornish and David Llewelyn, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Sweet and Maxwell, London (2003).
3. Prabuddha Ganguly, Intellectual Property Rights: Unleashing the Knowledge Economy, Tata McGraw-Hill Publishing Company Limited, New Delhi (2001).
4. L. Bently and B. Sherman, Intellectual Property Law, Oxford University Press, Oxford.
5. Bibek Debroy (Ed.), Intellectual Property Rights, B.R. Publishing Corporation (India) Ltd. (1998).

6. Guttina Leela (Ed.) and V.C. Vivekanandan (Series Ed.), *International Treaties and Conventions on IPR, Module IV*, NALSAR Proximate Education, NALSAR University of Hyderabad.
7. Srividhya Raghavan (Ed.) and V.C. Vivekanandan (Series Ed.), *The American and European Patent System, Module III*, NALSAR Proximate Education, NALSAR University of Hyderabad.
8. G.S. Srividhya (Ed.) and V.C. Vivekanandan (Series Ed.), *Patenting in India, Module III*, NALSAR Proximate Education, NALSAR University of Hyderabad.
9. Martin J. Adelman, Randall R. Rader, John R. Thomas and Harold C. Wegner, *Cases and Materials on Patent Law*, American Case Book Series, West Group, St. Paul, Minnesota (1998).
10. Carlos M. Correa and Abdulqawi A. Yusuf (Eds.), *Intellectual Property and International Trade: The TRIPs Agreement*, Kluwer Law International, London (1998).
11. Feroz Ali Khader, *The Touchstone Effect: The Impact of Pre-Grant Opposition on Patents*, Lexis Nexis, 2009.
12. Ranabhir Singh, *Law relating to Intellectual Property*, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.

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**INTELLECTUAL PROPERTY RIGHTS LAWS**

**PAPER: III – LAW OF TRADE MARKS**

**Objectives:** Trademarks are recognized as a form of industrial property because trademarks make the goods of manufacturer or trade known to the public and thereby enable them to secure profits through the reputation gained by the mark. Therefore trademarking and branding of goods and services occupy an important and prominent place in modern marketing system in which each and every goods and services is sold under their brand name or trademark. Protection of a trademark is necessary not only for an honest trader but also for the benefit of the purchasing public against imposition and fraud. Hence, it is essential for students to equip them to effectively serve the different interest involved in their professional capacity.

**UNIT: I** –Indian and international history of trade marks law, meaning and definition of mark and trademark, functions of a trade mark and different kinds of trademarks: Conventional and non-conventional trademarks, Service Marks, Collective Marks, Certification Marks, Well Known Trademarks; Distinctiveness- Inherent and acquired.

**UNIT: II** –Basic principles underlying the trade mark law in India compared with that of U.K., U.S. and E.U. The salient features of the Trade Marks Act, 1999. Deceptive similarity, difference between similarity of marks, near resemblance and deceptive similarity of marks, and their effects on trademark protection.

**UNIT: III** – Registrable and non-registrable marks, registration of marks: procedure for the registration of trade mark, certification marks and collective marks; opposition to registration, grounds for opposition; concurrent registration; effect of registration; rectification of register.  
Transfer of trade mark- assignment, transmission and licenses and registered users.

**UNIT: IV** – Powers and functions of Registrar, powers of Central Government, constitution and composition of Appellate Board, powers and functions of Appellate Board; infringement of trade mark- action for infringement, Goodwill and passing off action; distinction between infringement and passing off, offences and penalties, remedies for infringement, threat of legal proceedings and trade libel.

**UNIT: V** –Salient features of international legal instruments on trademarks law: Paris Convention for the Protection of Industrial Property, 1883 (Relevant provisions);

TRIPs Agreement, 1994 (Relevant provisions); Madrid Agreement Concerning the International Registration of Marks, 1891 and Protocol Relating to Madrid Agreement Concerning the International Registration of Marks, 1989; Trade Mark Treaty (TMT), 1994; Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, 1957; Role of international institutions in implementation and harmonisation of trade mark legal system such as WIPO and WTO.

### **Prescribed Books**

1. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
2. Christopher Wadlow, The Law of Passing Off: Unfair Competition by Misrepresentation, Sweet and Maxwell, 2011.
3. P. Narayanan, Law of Trade Marks and Passing Off, Eastern Law House, New Delhi and Kolkata.
4. A. K. Bansal, Law of Trademark in India, Thomson & Reuter, 2014.

### **Reference Books:**

1. Alan S. Guterman and Bentley J. Anderson, Intellectual Property in Global Markets, Kluwer Law International, London, The Hague, Boston (1997).
2. William Cornish and David Llewelyn, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Sweet and Maxwell, London (2003).
3. Hilary E. Pearson and Clifford G. Miller, Commercial Exploitation of Intellectual Property, Universal Law Publishing Co. Pvt. Ltd., Delhi (1997).
4. L. Bently and B. Sherman, Intellectual Property Law, Oxford University Press, Oxford.
5. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.
6. T.A. Blanco White and Robin Jacob, Patents, Trade Marks, Copyright and Industrial Designs, Sweet and Maxwell, London and N.M. Tripathi Private Ltd., Mumbai.

7. T.A. Blanco White and Robin Jacob, Kerly's Law of Trade Marks and Trade Names, Sweet and Maxwell, London and N.M. Tripathi Private Ltd., Mumbai.
8. Department of Business Laws, NLSIU, Bangalore, International Legal Instruments of Intellectual Property Rights Law, Vols. I&II.
9. Ashok Soni, A Complete Reference of Intellectual Property Laws, Vols. 1&2.
10. Elizabeth Verky, Intellectual Property, Eastern Book Publication Co., Nagpur.
11. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.
12. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.
13. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.
14. Ranabhir Singh, Law Relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.
15. K C Kailasam and Ramu Vedaraman, Law of Trademarks including International Registration under Madrid Protocol and Geographical Indications, Lexis Nexis, 2013

**Two Years LL.M. Syllabus 2022-23**

**INTELLECTUAL PROPERTY RIGHTS LAWS**

**PAPER IV: LAW OF COPYRIGHTS**

**Objectives:** Copyright is a non-industrial property which came to the fore to protect the creator from unauthorised reproduction of the work. With the advent of technology, new forms of copyright and allied rights have emerged and the legislations of India in particular and world in general have undergone many changes to extend protection to the copyright holder from unauthorised use of the same especially in the context of technological revolution. In order to understand the subject matter in which copyright protection subsists, students are required to study the legal regimes of copyrights and allied rights to the fullest and deepest level to be professionally relevant in contemporary society.

**UNIT: I** – Indian and international history of Copyright law, meaning and nature of copyright; Basic concepts of copyrights; subject matter of copyright; the meaning of literary, dramatic, musical, artistic works and cinematograph films and sound recording.

**UNIT: II** –Basic principles underlying the copyright law in India compared with that of U.K., U.S. and E.U. The salient features of the Indian Copyright Act, 1957 as amended up-to-date.

Authorship and ownership of copyright; rights conferred by Copyright; work of joint authorship; term of copyright.

**UNIT: III** – Transfer of copyrights- Assignment, Transmission and licenses; relinquishment of Copyright.

Neighbouring rights: Performer's Rights and Rights of Broadcasting Organisations. Copyright Societies; Copyright Board.

**UNIT: IV** –Infringement of Copyright: infringement of copyright in different works; Remedies: Civil (Injunctions- Anton Piller, Mareva, John Doe Orders), Administrative and criminal; threat of legal proceedings and slander of title; Appeals.

**UNIT: V** –Salient features of international legal instruments on copyright and related rights: Berne Convention for the Protection of Literary and Artistic Works, 1886; Universal Copyright Convention (UCC), 1954; TRIPs Agreement, 1994, Rome Convention: International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations, 1961; WIPO Copyright Treaty, 1996; WIPO Performances and Phonogram Treaty, 1996.

### **Prescribed Books:**

1. William Cornish and David Llewelyn, *Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights*, Sweet and Maxwell, London (2003).
2. P. Narayanan, *Copyright and Industrial Design*, 3<sup>rd</sup> Edn., Eastern Law House, New Delhi and Kolkata (2002).
3. L. Bently and B. Sherman, *Intellectual Property Law*, Oxford University Press, Oxford.
4. Melville B. Nimmer and Paul Edward Geller, *International Copyright Law and Practice*, Mathew Bender & Co., (1998).
5. Sam Ricketson, *The Berne Convention for the Protection of Literary and Artistic Works: 1886-1986*, Kluwer London (1987).
6. E.P. Skone James *et al*, *Copinger and Skone James on Copyright*, 13<sup>th</sup> edn., Sweet and Maxwell Limited, London (1991).
7. V. K. Ahuja, *Intellectual Property Rights*, Lexis Nexis, New Delhi.

### **Reference Books:**

1. Department of Business Laws, NLSIU, Bangalore, *International Legal Instruments of intellectual Property Rights Law*, Vols. I & II.
2. W.R. Cornish, *Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights*, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
3. Elizabeth Verky, *Intellectual Property*, Eastern Book Publication Co., Nagpur.
4. Mira Sundara Rajan, *Moral Rights: Principles, Practice, and New Technology*, Oxford University Press, 2011.
5. Robert A Gorman, Jane C. Ginsburg, *Copyright Cases and Materials*, Foundation Press, 2011.
6. Paul Goldstein *International Copyright: Principles, Law, and Practice*, Oxford University Press, 2012.
7. N.S. Gopalakrishnan & T.G. Ajitha, *Principles of Intellectual Property*, Eastern Book Company, 2nd edn., 2014.
8. Ashok Soni, *A Complete Reference to Intellectual Property Laws*, Vols. 1&2.

9. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.
10. Ranabhir Singh, Law relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.

**Two Years LL.M. Syllabus 2022-23**

**INTELLECTUAL PROPERTY RIGHTS LAWS**

**PAPER V: LAW OF DESIGNS, INTEGRATED CIRCUITS, GEOGRAPHICAL INDICATIONS AND CONFIDENTIAL INFORMATION**

**Objectives:** Designs, integrated circuits, geographical indications and confidential information are modern concepts. All these four types of industrial properties have their own significance in the field of intellectual property. While designs are used in attracting the customers; integrated circuits are required to distinguish one company from another in devising and integrating the machines and apparatus; geographical indications indicate the prominence of the products which carry the essence of the climatic conditions of the particular region or geographical area; and confidential information meant for protecting the interest of the manufacturer/employer from disclosure of their trade secrets. In modern days legal framework has been devised to govern and regulate these types of IPRs at national and international level. Students are required to acquaint themselves by studying the national and international legal regimes governing the designs, integrated circuits, geographical indications, and confidential information in a detailed manner.

**UNIT: I** –Indian and international history of designs, integrated circuits, geographical indications and confidential information, significance of these concepts in modern times of socio-economic, technological and industrial growth; interface between designs, integrated circuits, geographical indications and confidential information.

**UNIT: II** – Basic principles of Designs, the salient features of the Designs Act, 2000, Registrable and Non-registrable designs, procedure for registration, rights of holder, design piracy, remedies.

**UNIT: III** - Basic principles of GI, The Geographical Indications of Goods (Registration And Protection) Act, 1999- salient features, Background of the enactment, meaning and definitions of geographical indications, registered proprietor, authorised user, deceptively similar, and producer; procedure and duration of registration, effect of registration, rectification and correction of register; infringement and remedies: civil and criminal.

**UNIT: IV**- Confidential Information and Trade Secrets: Meaning and nature of confidential information and Trade Secrets, difference between trade secret and confidential information, Nature of trade secrets, Modes of protection of trade secrets- legislative measures, Technology Transfer Agreements, non-disclosure agreements.

Semiconductor Integrated Circuits Layout Designs Act, 2000- Salient features of the Act, Conditions and Procedure for Registration, Duration and Effect of Registration, Assignment and Transmission.

**UNIT: V** –Salient features of international legal instruments: Paris Convention for the Protection of Industrial Property, 1883, TRIPs Agreement, Hague Industrial Design Treaty, 1959; Hague Agreement Concerning the International Deposit of Industrial Designs, 1925; Locarno Agreement: Locarno Agreement Establishing an International Classification for Industrial Designs, 1968, Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, 1958, Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods, 1891, Treaty on Intellectual Property in Respect of Integrated Circuits, 1989.

**Prescribed Books:**

1. William Cornish and David Llewelyn, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Sweet and Maxwell, London (2003).
2. L. Bently and B. Sherman, Intellectual Property Law, Oxford University Press, Oxford.
3. Ranabhir Singh, Law relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.
4. Andrew Christie, Integrated Circuits and their Contents: International Protection, Sweet and Maxwell, London (1995).
5. Elizabeth Verky, Intellectual Property, Eastern Book Publication Co., Nagpur.
6. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.
7. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.

**Reference Books:**

1. Hilary E. Pearson and Clifford G. Miller, Commercial Exploitation of Intellectual Property, Universal Law Publishing Co. Pvt. Ltd., Delhi (1997).
2. Department of Business Laws, NLSIU, Bangalore, International Legal Instruments of Intellectual Property Rights Law, Vols. I&II.
3. Ashok Soni, A Complete Reference of Intellectual Property Laws, Vols. 1&2.

4. Bibek Debroy (Ed.), Intellectual Property Rights, B.R. Publishing Corporation (India) Ltd. (1998).
5. R. Anita Rao and V. Bhanaji Rao, Intellectual Property Rights: A Primer, Easter Book Company, Lucknow (2008).
6. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).

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## INTELLECTUAL PROPERTY RIGHTS LAWS

## PAPER VI: LAW OF INTELLECTUAL PROPERTY AND PLANT VARIETIES

**Objectives:** Agriculture, plant breeding and cultivation were based on community and traditional practice in olden days. Due the introduction of modern technology and privatisation and monopolisation, agriculture, plant breeding and cultivation activities have undergone tremendous change in modern days. Introduction of IPR to these sectors transformed the tradition of free distribution of seeds into controlled cultivation and gradually led to the evolution of system of Plant Breeders' Rights (PBRs). India being a signatory to TRIPS Agreement, had to introduce *sui generis* form of protection to new plant varieties. While enacting legislation to protect the plant breeders, rights of the farmers' community was also recognised as an explicit part of the Indian legal system. Therefore, students are required to acquaint themselves with the national and international legal regimes governing the PBRs to understand the different legal frameworks and their impact on socio-economic conditions and legal framework of India in particular and world in general.

**UNIT: I** – Historical background leading to modern legislations; meaning of seeds, plants, propagating material and relevant provisions of the Seeds Act, 1966.

Meaning of plant variety, new variety, plant breeder, farmer, cultivator, plant breeders' rights (PBRs), farmers' rights; distinction between the PBRs and IPRs (patent), impact PBRs system on socio-economic growth of the country.

**UNIT: II** –Basic requirements of plant variety protection in India; The salient features of the Protection of Plant Varieties and Farmers' Rights (PPV&FR) Act, 2001- Conceptual analysis of New Variety, Essentially Derived Variety (EDV), Farmer Variety and extant variety.

**UNIT: III** – Conditions or requirements for the registration of a plant variety, registrable and non-registrable plant varieties, procedure for the registration of different kinds of plant varieties, opposition proceedings and grounds of opposition, rights available to the plant breeders, researchers, farmers and communities upon the registration of a variety, term of protection available for different registered varieties and benefit-sharing; surrender and revocation of certificate and rectification of register.

**UNIT: IV** – Transfer of rights or interest: Assignment, Transmission and Licenses, Different kinds of licenses- voluntary and compulsory; Remedies for infringement of breeders' rights, offenses and penalties; Protection of Plant Varieties and

Farmers' Right Authority and Registry, Plant Varieties Protection Appellate Tribunal, Powers of the Central and State Governments under the PPV&FR Act, 2001.

**UNIT: V** – Provisions of international legal instruments having a bearing a on plant variety protection: TRIPs Agreement, 1994, Intergovernmental Convention for the Protection of New Varieties of Plants (UPOV), International Treaty on Plant Genetic Resources for Food and Agriculture.

**Prescribed Books:**

1. Philippe Cullet, Intellectual Property Protection and Sustainable Development, Lexis Nexis, 2005.
2. Elizabeth Verkey, Law of Plant Varieties Protection, Eastern Book Company, 2007.
3. Vandana Shiva, Biopiracy: The Plunder of Nature and Knowledge, South Press, 1997.
4. Vandana Shiva, Protect or Plunder: Understanding Intellectual Property Rights, Zed Books Ltd., London, 2001.
5. Shiv Sahai Singh (Ed.), "The Law of Intellectual Property Rights" (Deep and Deep Publications Pvt. Ltd, New Delhi, 2005).
6. Suman Sahai, "Biodiversity Act Falls Short of National Needs" in Kanchi Kohli (Ed.) Understanding the Biological Diversity Act 2002: A Dossier (Kalpavriksh, GRAIN and IIED publication, 2006).
7. Watal Jayashree, Intellectual Property Rights in the World Developing Countries (Oxford University Press, New Delhi, 2001).
8. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.

**Reference Books:**

1. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
2. Ranabhir Singh, Law relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.
3. R. R. Hanchinal and Raj Ganesh, Protection of Plant Varieties and Farmers Rights: Law Practice and Procedure, Eastern Law House(2018).

4. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.
5. Bibek Debroy (Ed.), Intellectual Property Rights, B.R. Publishing Corporation (India) Ltd. (1998).
6. F.H. Erbisich and K.M. Maredia (Eds.), Intellectual Property Rights in Agricultural Biotechnology, CAB International, Wallingford, Oxon, UK (1998).
7. Lester Nelson, Digest of Intellectual Property Laws of the World Vols. 1,2,3&4.
8. S. K. Verma & Raman Mittal (ed.), Intellectual Property Rights a Global Vision, Indian Law Institute, New Delhi, 2004.
9. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.
10. CEERA, A Primer on Biological Diversity and Access and Benefit Sharing (CEERA and UNDP Publications, 2019). Available at, <https://ceerapub.nls.ac.in/wp-content/uploads/2019/05/A-Primer-on-Biological-Diversity-and-Access-and-Benefit-Sharing.pdf>.
11. CEERA, Handbook on Biodiversity Law, Access and Benefit Sharing (CEERA Publications, 2019). Available at, <https://ceerapub.nls.ac.in/wp-content/uploads/2019/05/Handbook-on-Biodiversity-law-Access-and-Benefit-Sharing.pdf>.

## Two Years LL.M. Syllabus 2022-23

### INTELLECTUAL PROPERTY RIGHTS LAWS

#### PAPER VII: LAW OF INTELLECTUAL PROPERTY AND BIODIVERSITY

**Objectives:** The laws relating to intellectual property (IP) and biodiversity are recent one. Both the IP and biodiversity concepts have their own historical roots. While, biodiversity evolved with the evolution of nature and civilisations, the intellectual property system has been evolved through statutes to protect the improvements made to the biological resources and grant monopoly rights to the inventor. To understand and become familiar with the system of IP and biodiversity, the students are required to study the subject by going through the historical background of both concepts and national and international laws governing them in a right perspective.

**UNIT: I** – Conceptual analysis of biodiversity, significance of biodiversity, meaning of ‘genetic material’, ‘genetic resources’, ‘biological resources’, and ‘benefit-sharing’; reasons for loss of biodiversity, the importance of technological growth and its impact on socio-economic growth of the country, impact of IPR on biodiversity conservation.

**UNIT: II** –Salient features of international legal instruments governing the biodiversity: The International Plant Protection Convention, 1951, Declaration on the Permanent Sovereignty over Natural Resources, 1962, International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), 2001, the Convention on Biological Diversity (CBD), 1992, the Cartagena Protocol on Bio-safety to the Convention on Biological Diversity, the Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of Benefits arising out of their utilization; the interrelationship between the CBD and TRIPs Agreement and the CBD and UPOV.

**UNIT: III-** Evolution of biodiversity law in India, Objects of the Biological Diversity Act, 2002, the salient features of the Biological Diversity Act, 2002, interface between the IPRs, PBRs, Farmers’ Rights, Indigenous Peoples Rights and Community Rights.

**UNIT: IV** –Regulation of Access to Biological Diversity: composition, powers, functions and duties of the National Biodiversity Authority (NBA), State Biodiversity Boards (SBB) and Biodiversity Management Committees (BMCs); Prior Approval, Prior Intimation, Prior Approval for making application for obtaining IPR, Benefit-sharing.

**UNIT: V** – Powers, functions and duties of the Central and State Governments under the Act; Offences and Penalties, Appeals; the interrelationship between the Biological Diversity Act, 2002 and the Patents Act, 1970, the protection of Plant Varieties and Farmers' Rights Act, 2001 and Geographical Indications of Goods (Protection and Registration) Act 1999.

**Prescribed Books:**

1. Philippe Cullet, Intellectual Property Protection and Sustainable Development, Lexis Nexis, 2005.
2. Elizabeth Verkey, Intellectual Property Rights, Eastern Book Company, 2007.
3. Vandana Shiva, Biopiracy: The Plunder of Nature and Knowledge, South Press, 1997.
4. Vandana Shiva, Protect or Plunder: Understanding Intellectual Property Rights, Zed Books Ltd., London, 2001.
5. Shiv Sahai Singh (Ed.), "The Law of Intellectual Property Rights" (Deep and Deep Publications Pvt. Ltd, New Delhi, 2005).
6. Suman Sahai, "Biodiversity Act Falls Short of National Needs" in Kanchi Kohli (Ed.) Understanding the Biological Diversity Act 2002: A Dossier (Kalpavriksh, GRAIN and IIED publication, 2006).
7. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.

**Reference Books:**

1. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
2. Ranabhir Singh, Law relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.
3. Bibek Debroy (Ed.), Intellectual Property Rights, B.R. Publishing Corporation (India) Ltd. (1998).
4. F.H. Erbisich and K.M. Maredia (Eds.), Intellectual Property Rights in Agricultural Biotechnology, CAB International, Wallingford, Oxon, UK (1998).
5. Ashok Soni, A Complete Reference of Intellectual Property Laws, Vols. 1&2.

6. S. K. Verma & Raman Mittal (ed.), *Intellectual Property Rights a Global Vision*, Indian Law Institute, New Delhi, 2004.
7. Lionel Bently & Brad Sherman, *Intellectual Property Law*, Oxford University Press, 3rd edn., 2008.
8. N.S. Gopalakrishnan & T.G. Ajitha, *Principles of Intellectual Property*, Eastern Book Company, 2nd edn., 2014.
9. Watal Jayashree, *Intellectual Property Rights in the World Developing Countries* (Oxford University Press, New Delhi, 2001).
10. CEERA, *A Primer on Biological Diversity and Access and Benefit Sharing* (CEERA and UNDP Publications, 2019). Available at, <https://ceerapub.nls.ac.in/wp-content/uploads/2019/05/A-Primer-on-Biological-Diversity-and-Access-and-Benifit-Sharing.pdf>.
11. CEERA, *Handbook on Biodiversity Law, Access and Benefit Sharing* (CEERA Publications, 2019). Available at, <https://ceerapub.nls.ac.in/wp-content/uploads/2019/05/Handbook-on-Biodiversity-law-Access-and-Benifit-Sharing.pdf>.

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INTELLECTUAL PROPERTY RIGHTS LAWS

**PAPER VIII: LAW OF INTELLECTUAL PROPERTY AND INFORMATION TECHNOLOGY**

**Objectives:** Protection of intellectual property has an important bearing on the economic development of the country. The emergence of the global digital electronic communications network, i.e., Internet and associated digital revolution created a parallel digital world called cyberspace and enhanced the opportunities for the speedy growth of economy of countries. While the advancement in information technology has enhanced the ability to access, store, and transmit vast amounts of information in digital form, instantaneous means of reproduction, publication and dissemination have enhanced opportunities to violate Intellectual Property Rights. While the traditional legislations relating to intellectual property rights safeguard the intellectual property rights within territorial limits of the country, borderless environment created by the information technology poses new challenges in detecting the infringement and effective law enforcement in the cyberspace. The response of legal systems to tackle these issues are to be acquainted with. Hence, the students are required to understand the evolving legal regime designed to respond to the issues of violation of intellectual property in the digital world revolutionised by information technology.

**UNIT: I** – History of Internet, evolution of concept of cyberspace, Interface of Technology and Law, Jurisdiction in Cyber Space and Jurisdiction in traditional sense, Internet Jurisdiction, IPR related issues in cyberspace, Jurisdictional issues relating to enforcement of IPRs, Need for trans -border protection of IPRs.

**UNIT : II** – Meaning of domain name, Domain name registration, Domain Name Disputes: Cybersquatting, typo-squatting and Meta tagging and Online protection of trademarks under Trademarks Act, 1999 and passing off Action.

**UNIT: III** – Basic requirements for copyright protection under Copyright Act, 1957; Online Copyright infringement: Linking, framing, caching, uploading and downloading of copyrighted material, doctrine of fair use, remedies for infringement under Copyright Act, 1957. Applicability of Digital Millennium Copyright Act, 1996.

**UNIT: IV** – The relationship between the IPR and information technology (IT): online piracy of computer programme, modes of piracy, Legal position of Computer programme position in Europe, U.S. and India. Available protection under the Copyright Act, 1957, The Patents Act, 1970 and the Information Technology Act, 2000 and amendment till date.

Protection of Databases in Digital World- position in USA, EU and India.

**Unit :V-** WIPO and dispute settlement mechanism, Domain Name Disputes-UDRP and INDRP; WIPO ADR Mechanism for IPR Issues.

Applicable international instruments- WIPO Copyright Treaty, 1996 and WIPO Performer's and Phonograms Treaty, 1996.

**Prescribed Books:**

1. Vakul Sharma, Information Technology: Law and Practice (Law & Emerging Technology, Cyber Law & E-Commerce) (Universal Law Publishing, New Delhi 3rd edn., 2011)
2. Karnika Seth, Computers, Internet and New Technology Laws, Lexisnexis, Nagpur.
3. Gupta and Agarwal, Cyber Laws, PREMIER Publishing Co.
4. Resolving IP and Technology Disputes Through WIPO ADR -Getting back to business, WIPO Arbitration and Mediation Centre (2016) available at, <https://www.wipo.int/publications/en/details.jsp?id=4053>

**Reference Books:**

1. Krishna Kumar (Ed.), Cyber Laws: Intellectual Property and E-Commerce Security, Dominant Publishers and Distributors, New Delhi.
2. Justice Yatindra Singh, Cyber Laws, Universal Law Publishing Co. Pvt. Ltd., Delhi.
3. Pavan Duggal, Cyber Law: the Indian Perspective, 1<sup>st</sup> Edn, Saakshar Law Publication, New Delhi.
4. Rodney D. Ryder, Intellectual Property and the Internet, Lexis Nexis Butterworth's Wadhwa, Nagpur (2004) .
5. Cris Reed and John Angel, Computer Law, 5<sup>th</sup> Edn., Oxford University Press Inc. New York.
6. Drahos P. and J. Braithwaite, Information Feudalism: Who Owns the Knowledge Economy? Oxford University Press, New Delhi (2003).
7. Pankaj Jain & Sangeet Rai Pandey, Copyright and Trademark Laws relating to Computers, Eastern Book Co, New Delhi.

8. Indian Law Institute, Legal Dimensions of Cyber Space, New Delhi.
9. David Lindsay, International Domain Name Laws, Hart Publishing, 2007.
10. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.
11. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.
12. Pavan Duggal, Legal Framework on Electronic Commerce & Intellectual Property Rights, Universal Publishing House, 2014.
13. R.P. Merges, P.S. Menell, M.A. Lemley and T.M. Jorde, Intellectual Property in the New Technological Age, Aspen Law and Business, New York (1997).

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## INTELLECTUAL PROPERTY RIGHTS LAWS

**PAPER IX: LAW OF INTELLECTUAL PROPERTY RIGHTS, HUMAN RIGHTS AND ENVIRONMENT**

**Objectives:** Intellectual property laws are important in achieving sustainable development, ensuring human health and protecting the environment. A desire to establish an inherent balance between the moral and economic rights of inventors and the wider interests and needs of society in terms of protection of human rights and environment has led to adoption and amendment of laws relating to intellectual property periodically at national and global levels. The students are required to understand the nature and gravity of the interrelationship between IPRs, human rights and environment and also national and international legal instruments and regulatory mechanisms available in such a legal framework.

**UNIT: I** – Evolution of human rights; National and international history of laws relating to human rights and environment related laws and IPR; environment and human rights.

**UNIT: II** - Relevant provisions of international legal instruments governing human rights and IPR- the UN Charter, the Universal Declaration of Human Rights, 1948, Covenant of Social, Economic and Cultural Rights, 1976, Declaration on the Right to Development.

Indian aspects of laws relating to human rights: Relevant provisions of The Constitution of India – Preamble, Fundamental Rights, and other constitutional provisions relating to protection of human rights. The Protection of Human Rights Act, 1993.

**UNIT: III**– Stockholm Declaration, 1972, Brundtland Commission Report and Rio Declaration, 1992; Johannesburg Declaration, 2002; Sustainable Development Goals. Relevant provisions of The Constitution of India to protect the environment. Laws relating to environment: the Forest (Conservation) Act, 1980, The Environment (Protection) Act, 1986.

**UNIT: IV** – The interface between the IPR and environment and IPR and human rights affecting the various interests and human rights as obtaining under the Patents Act, 1970, the Protection of Plant Varieties and Farmers' Rights Act, 2001 and Biological Diversity Act, 2002.

**UNIT: V** – Balancing provisions mentioned under TRIPs Agreement and Convention on Biological Diversity, 1992.

International institutions governing the human rights and IPR: UNO, FAO, UNESCO, UNICEF, UN Economic and Social Council, United Nations High Commissioner for Human Rights; WTO, WIPO, TRIPs Council.

**Prescribed Books:**

1. Philippe Cullet, Intellectual Property Protection and Sustainable Development, Lexis Nexis, 2005.
2. Elizabeth Verkey, Intellectual Property Rights, Eastern Book Company, 2007.
3. Vandana Shiva, Biopiracy: The Plunder of Nature and Knowledge, South Press, 1997.
4. Vandana Shiva, Protect or Plunder: Understanding Intellectual Property Rights, Zed Books Ltd., London, 2001.
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7. Upendra Baxi, Inhuman Wrongs and Human Rights: Unconventional Essays, Har-Anand Publications, New Delhi (1994).
8. M. P. Jain, Indian Constitutional Law, Lexisnexis , Nagpur (2018).
9. Paul Torremans, Intellectual Property And Human Rights, Kluwer Law International, 2008.

**Reference Books:**

1. Drahos P. and J. Braithwaite, Information Feudalism: Who owns the Knowledge Economy? Oxford University Press, New Delhi (2003).
2. Pinstrup-Andersen Per and Rajul Pandya-Lorch, A Vision for Food, Agriculture and the Environment, the Commonwealth Ministers Reference Book.
3. Graeme B. Dinwoodie, William O. Hennessey and Shira Perlmutter, International and Comparative Patent Law, LexisNexis, New Jersey (2002).
4. S.M. Mohamed, Manual on Good Practices in Public Health Sensitive Policy Measures and Patent Laws, Third World Network, May 2003.

5. Jaffe A. and J. Lerner, Innovation and its Discontents, Princeton University Press (2004).
6. Sell S., Private Power – Public Law: The Globalisation of IPRs, Cambridge University Press (2003).
7. Watal Jayashree, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press, Delhi (2001)
8. P.M. Baxi, Intellectual Property: Indian Trends.
9. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.
10. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.

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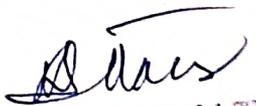
## Two Years LL.M. Syllabus 2022-23

### CRIMINAL LAW

- Paper-I : Crime, Criminology and Crime Prevention  
Paper-II : Penology: Treatment of Offenders  
Paper-III : Privileged Class Deviance  
Paper-IV : Drug Addiction, Criminal Justice and Human Rights  
Paper-V : Juvenile Delinquency  
Paper-VI : Collective Violence and Criminal Justice System  
Paper-VII : Comparative Criminal Procedure  
Paper-VIII : Victim and Criminal Justice System  
Paper-IX : Crimes affecting Security and Public Order

  
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**CRIMINAL LAW**

**PAPER I: CRIME, CRIMINOLOGY AND CRIME PREVENTION**

**Unit -1: Fundamentals and Schools of Criminology**

Definition and Nature of Crime; Theories relating to crime; Criminology- Nature, Origin, Scope; Criminology as a Social Science & Interrelations with other Sciences; Relevance of criminology to contemporary society; Pre-Classical school; Classical school; Neo-Classical school; Positive school; Biological school; Sociological Schools; Clinical Schools

**Unit -2: Crime, Criminal Typology**

Classification of Offences; Classification of Offenders: Adult and Juvenile offenders, Habitual offenders, Professional Offenders, Violent offenders, Victimless Criminals

**Unit - 3: Crime Prevention & Investigation and Emerging Scientific Techniques**

Police and Law enforcement; Functions of Police under Criminal laws including Indian Police Act, 1861; Role of Police Crime prevention strategies; Role of Police and Witness Protection; Police reforms; Modernization and Professionalism in Police system; Recording of Statements by Police; Evidentiary value of statements/articles seized/collected by the Police; Collection of evidence and use of Scientific Techniques: Polygraph test, Narco Analysis, Brain mapping

**Unit - 4: Forensic Sciences in Criminal Cases**

The basic question in investigation- Qui Bono; The scene of crime; Discovery of traces of physical evidence; Classification and reference to classified record; Systematization and classification of physical evidence and comparison with suspected material; The principles of exchange; The principles of heredity, Taxonomy etc.

## **Unit - 5: Police Deviance & Authorities to Control Deviance**

Police atrocities; Custodial Violence; Encounter Killings; Corruption; Vigilance Commission; Public Accounts Committee Ombudsman; Ombudsman; State Police Complaints Authority; Human Rights Commission – National and State; Commissions of Enquiry; Prevention of Corruption Act, 1947; Police Deviance and Supreme Court rulings

### **Select Bibliography:**

1. Ahmed Siddique, (1993) Criminology, Problems and Perspectives, Eastern BookHouse, Lucknow.
2. Conklin, John. E., (2001) Criminology, Macmillan Publishing Company.
3. George Vold and Thomas J. Bernard (1986) New Horizons in Criminology, Prentice Hall, New Delhi.
4. Sandra W, Understanding Criminology: Current Theoretical Debates, OpenUniversity Press, 2007(3<sup>rd</sup> ed.)
5. Paranjape, N.V. (2002), Criminology and Penology, Central Law Publications, Allahabad.
6. N. Prabhu Unnithan, Crime & Justice in India, Sage Publications.
7. Crime in India, (2010, 2011) National Crime Record Bureau, Ministry of Home Affairs, New Delhi.
8. Rajendra Kumar Sharma, Criminology & Penology, Atlantic Publishers.
9. Ranevan Swaaningen, Critical Criminology visions from Europe, Sage Publications, New Delhi.
10. Justice V.R. KrishnaIyer, Criminology, Law and Social Change.
11. Ram Ahuja, Criminology, Rawat Publication New Delhi.
12. Girjesh Shukla, Criminology, Lexis Nexis, Gurgaon.
13. Govind Singh, Anatomy of Crime & Criminology, Cyber Tech Publication, New Delhi.
14. Eugene Mclaugulin and John Muncie, The Sage Dictionary of Criminology, Sage Publications.
15. Diaz, S.M., 1976, New Dimensions, of the Police Role and functions in India Published by the National Police Academy, Hyderabad.
16. Gupta, A., Police in British India -1886 to 1947 Concept Publishing Co., New Delhi.
17. Nehad Ashraf, 1992, Police and Policing in India, Common Wealth Publishers House, New Delhi.
18. Parmar, M.S., 1992, Problems of Police Administration, Reliance Publishing House, New Delhi.
19. Sethi, R.B., 1983, The Police Acts, Law Book Co., Allahabad.
20. Sharma B.R.: Forensic Science.
21. Forensic Science in criminal Investigation Dr. Jaishankar and Amin
22. Fundamentals of Forensic Science by Max M. Houck, Jay Siegel
23. Forensic Science In Criminal Investigation And Trials: Sharma

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**CRIMINAL LAW**

**PAPER 2: PENOLOGY: TREATMENT OF OFFENDERS**

**Objectives:**

This course offers a specialist understanding of criminal policies including theories of punishment, their supposed philosophical and sociological justifications and the problem of discretion in the sentencing. Broadly, the course will concern itself with theories of Punishment; approaches to Sentencing; alternatives to Imprisonment; the State of Institution Incarceration in India: Jails and other custodial institutions; the issues relating to Capital Punishment; Penology in relation to privileged class deviance; Penology in relation to marginalized deviance or criminality; the distinctive historical and contemporary Indian approaches to penology.

**Course content:**

**Unit – I: Concept of Punishment and its Justification**

Concept of Penology; Nature, meaning and characteristics of punishment; Theories of Punishment: Retribution; Utilitarian prevention: Deterrence; Utilitarian Intimidation; Behavioral prevention: Incapacitation; Behavioral prevention: Rehabilitation – Expiation; Efficacy of punishment; Emerging trends

**Unit – II: Sentences and Principles of Sentencing**

Principal types of sentence in the Penal Code and special laws; Pre-Sentence hearing; Rationales for Sentencing; Judicial sentencing; Plea Bargaining

**Unit – III: Judicial Approach to Sentencing**

Capital Punishment: a. Abolition or retention of capital sentence; b. Role of judiciary and capital sentence; Life Imprisonment; Sentencing in white collar crime; Sentencing for habitual offenders; Sentencing for young offenders; Sentencing for first time offenders

**Unit – IV: Institutionalized Form of Treatment**

Meaning and purpose; Correctional institutions: Prison as correctional institute; Prison Administration; Prison Reforms; Open air Prisons; Correctional programmes; counselling

and psychological services; Vocational training and work programmes; Remission; temporary release; pre-mature release and after care services

#### **Unit – V: Non-Institutional Form of Treatment**

Meaning; Purpose and types; Probation; meaning; scope-Probation of Offenders Act and other laws; Parole; meaning; scope and legal provisions; After care and rehabilitation services; Role of NGO's in supervision and rehabilitation

#### **Select Bibliography:**

1. K.S.Chhabra, The Quantum of Punishment in Criminal Law in India, Publication Bureau, Panjab University. (1970)
2. H.L.A. Hart, Punishment and Responsibility, Oxford University Press
3. Herbert L. Packer, The Limits of the Criminal Sanction Stanford University Press (1968)
4. Alf Ross, On Guilt, Responsibility and Punishment (1975)
5. Ahmad Siddique's Criminology & Penology, Eastern Book Company, Lucknow
6. The Law Commission of India, Forty-Second Report Chapter-3 (1971)
7. K.S. Shukla, "Sociology of Deviant Behavior" in 3 ICSSR Survey of Sociology and Social Anthropology 1969-179 (1986)
8. Tapas Kumar Banerjee, Background to Indian Criminal Law (1990), R.Cambray & Co., Calcutta