

9.2 Course – II, **Opt-III: Intellectual Property Rights**

Objectives:

Intellectual Property Law has assumed a great importance in recent times as a result of the recognition that “knowledge is property”. The creations of the human brain as IP are required to be understood and protected. The syllabi encompassing all relevant IP legislations in India with a view to understand and adjust with changing needs of the society because creative work is useful to society and law relating to innovation/creativity i.e. Intellectual Property is one of the fastest growing subjects all over the globe because of its significance and importance in the present era. Disseminate information on national and international IPR issues. The course is designed with a view to create IPR consciousness; and familiarize the learners about the documentation and administrative procedures relating to IPR in India.

Course Outcomes:

1. students in this course will be able to get a holistic understanding of the complexities involved in the process of attributing intellectual property rights to people.
2. identify the basic requirements of IPR and understand the procedure to obtain statutory protection for inventions, trademarks, designs or copyright
3. understand the international instruments in the field of intellectual property, which have direct implications on Indian IPR legal system.
4. understand the procedure involved in approaching the appropriate authority for seeking different kinds of remedies under IPR legislations.
5. analyse ethical and professional issues which arise in the intellectual property law context

Contents:

UNIT I

Introductory Aspects: Overview of the concept of property; Industrial property and non-industrial property; Historical background of IPR theories relating to IPR; Different forms of IP and its conceptual analysis.

Patents: History of Patent protections; definition of patent; basic concepts; Object of patent; Scope and salient features of patent; How to obtain patent; non-patentable inventions; Procedure for patent applications; Rights and obligations of patentee; Transfer of Patent Rights; exceptions; Infringement of Patents; defences Offences and Penalties and remedies of patent law.

UNIT II

Trade Marks: Evolution of trade mark law; Object of trade mark; Features of good trade mark; Different forms of trade mark; concepts of trademark, Trade mark registry and register of

trademarks; Registrable and non-registrable marks; procedure; term of protection; Assignment and transmission; Rectification of register; Infringement of trade mark and defences; Passing off; Offences penalties and remedies.

UNIT-III

Indian Copyright Law: History of the concept of copyright and related rights; Nature of copyright: Salient features of Copyright Act; Subject matter of copyright; Literary work; Dramatic work; Musical works; Artistic works; Cinematographic films; Sound recordings; Term of copyright; Computer software and copyright protection; Author and ownership of copyright; Rights conferred by copyright; Assignment, transmission and relinquishment of copyright; Infringement of copyright; Remedies against infringement of copyright.

UNIT-IV

Designs Law: Introduction and overview of Designs Law; Salient features of Designs Law; Procedure for registration; Rights conferred by registration; Copyright in registered designs; Infringement; Powers and duties and Controller; Distinction between design, trade mark, copyright & patent.

UNIT V

International Convention and Treaties: Paris Convention: Background; Salient features of Paris Convention; Governing rules of Paris Convention; Patent Cooperation Treaty: Background; Objectives of PCT; Salient features of PCT; Madrid Convention: Salient features; International registration of marks; Berne Convention: Background; Salient features of Berne Convention; Governing rules of Berne Convention, World Intellectual Property Organisation: Background; Salient features WIPO; Organisation of WIPO.

Prescribed Books:

1. Elizabeth Verky, Intellectual Property, Eastern Book Publication Co., Nagpur.
2. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.