

## **DIPLOMA IN INTELLECTUAL PROPERTY LAWS**

- 1. Duration** : The duration of the course will be one academic year.  
(As per University rules four attempts are allowed for Diploma examination)
- 2. Pattern** : Yearly
- 3. No. of Papers** : 4
- 4. Medium of course** : The medium of the course shall be only in English.
- 5. Eligibility** : Any Graduate who has passed Graduation from any recognized University in India is eligible to seek admission in Diploma Course.
- 6. Pattern of Examination:**
  - a) The diploma examination shall comprise of four papers of 100 marks each.  
But only Diploma in intellectual property law paper shall be of 100 marks out of which 80 marks for Theory Examination and 20 Marks of Internal Assessment.
  - b) In order to pass the examination the candidate has to secure 40% of marks in each paper and 50% of marks in aggregate.
  - c) Award of Division
    - Second Class: 50% and above less than 60%
    - First Class: 60% and above less than 75%
    - First Class with Distinction: 75% and above

# **DIPLOMA IN INTELLECTUAL PROPERTY LAWS**

## **Aim and Objective:**

Making students aware of the relevance and impact of Intellectual Property laws on their academic and professional lives.

## **Paper I: Intellectual Property – Evolution, Concept & Kind.**

**80 Marks**

### **Unit I: Concept of Intellectual Property Law**

- Concept of Intellectual Property.
- Significance of Intellectual Property in commercial world.
- Classification of Intellectual Property Law.
- Basic understanding of Industrial Property
- Basic Understanding of Copyright
- Need for harmonisation of Intellectual Property.

### **Unit II: Harmonisation of Intellectual Property Laws by International Agencies.**

- United Nations by TRIPS
- WTO
- EEC
- WIPO

### **Unit III: International Instrument relating Industrial Property.**

- Patent and Industrial Instruments
  - Paris Convention
  - Patent Co-operation Treaty
  - TRIPS and patent Law
  - Locarno Agreement
  - Budapest treaty.
  - UPOV
- Trademark and International Conventions
  - Madrid Protocol
  - Trademark Law Treaty
  - Provisions relating to TRIPS

### **Unit IV: Copyright Law and International Convention**

- Berne Convention
- UCC
- Relevant provisions from WIPO relating copyright
- Relevant provisions from TRIPS relating copyright

## Recommended Books

- Dr. G. B Reddy- Intellectual Property Rights and the Law
- Dr. P. Narayanan – Intellectual Property Law
- Dr. S. R Myneni – Law of Intellectual Property
- Oxford – Intellectual Property Rights, Development and catch up An International Comparative Study.

## Paper II: Law relating to Protection and Recognition of Patent

80 Marks

### Unit I: Features of Patent

- Concept of Patent.
- History of Patent in India.
- Essential features to acquire patent.
- Specifications.
- Non patentable inventions.
- Patent in addition.

### Unit II : Registration of Patent and its provisions for transfer of Patent.

- Types of Patent.
- Procedure for application.
- Pre grant and post grant opposition of patents.
- Effects of registration of Patents.
- Rights and obligations of patentee.
- Mode of assignment and its effects.
- Licensing of patents
- Concept of compulsory licensing, and circumstances when it can be issued.
- Revocation of patents.
- Government use of patents
- Landmark cases

### Unit III: Infringement of Patents and its remedies.

- Concept of infringement
- Remedies available in cases of infringer.
- Defences available in case of infringement of patents.
- Controller of Patents and his powers.
- IPAB

#### **Unit IV : Patents Act and living organisms**

- Concept of Biotechnology
- Diamond v. Chakrabarty
- **Diminaco AG v. Controller of Patents and Designs**
- Dolly Case.
- Status of biotechnology patent in India.
- Ever greening of patents.
- 2005 Amendment to patent law of India and its impact on pharmaceutical industry.
- Bio diversity
- Plants Variety & Farmer's Right Act.

#### **Unit V: International Instruments and International patent filing**

- Budapest Treaty
- Madrid protocol
- Hague Agreement
- PCT
- Paris Convention
- TRIPS
- US Patent System (USPTO)
- European Patent System (EPO)

#### **Recommended Books**

- ❖ N.R. Subbarama - Patent Law Practise and Procedure
- ❖ Dr. P. Narayanan – Patent Law
- ❖ Shail Jain R.K Jain – Patents Procedure and Practise

### **Paper III Law of Copyright and Geographical indications**

**80 Marks**

#### **Unit I: Subject matter of Copyright**

- Meaning and nature of Copyright.
- History of Copyright
- Work in which Copyright Subsists.
- Economic and moral rights.
- Term of Copyright.

## **Unit II: Licensing and Assignment of Copyrights**

- Author and Owner of Copyright.
- Licensing of Copyrights
- Modes of Assignment of Copyright
- Copyright Societies
- Copyright Board

## **Unit III: Infringement and Remedies**

- Concept of Infringement
- Remedies available in cases of Infringement
- Concept of Fair deal.

## **Unit IV: Performers rights and recent trends in Copyright Law**

- Performer rights
- Amendment in Copyright Law in respect of performers rights
- Broadcasting rights
- Landmark judgements
- Internet and Copyright.

## **Unit V: Geographical Indications**

- Concept of Geographical Indications.
- Preference and Indicators and Schedule
- Registration and restoration.
- Offences and Punishments

- **Recommended Books**

- ❖ Iyengars – Commentary on The Copyright Act.
- ❖ N.S Gopal Krishnan & T.G Agitha – Principles of Intellectual Property
- ❖ Isita Chatterjee – Copyright Law

**Unit I: Concept and Nature of Trademark.**

- Meaning of Trademark.
- Utility and significance of Trademark.
- Features of good trademark.
- Service marks
- Associate marks and collective marks

**Unit II Registration, its effects and assignment of Trademark.**

- Procedure for registration
- Grounds of refusal of trademark
- Assignment and Licensing of Trademark.
- Doctrine of honest and concurrent users.

**Unit III. Infringement of Trademark**

- Infringement of trademark.
- Remedies for infringement.
- Passing off

**Unit IV; Concept of Designs, its registration piracy**

- Meaning of designs.
- Designs as Industrial property.
- Designs Act 2000 and its salient features
- Procedure for registration.
- Piracy of registered designs
- Offences and penalties.

**Books Recommended**

- Dr. P Narayanan – Trademark and Passing off
- Dr. B. L Wadera – Law relating to Intellectual Property
- Manish Arora – Guide to Trademark Law.
- Rama Sharma – Commentary on Intellectual Property Law