



**BHARATI VIDYAPEETH
DEEMED TO BE UNIVERSITY, PUNE (INDIA)**

(Established u/s 3 of the UGC Act, 1956 vide Notification No.F.9-15/95-U-3 of the Govt. of India)

'A+' Grade Accreditation by NAAC

"Social Transformation Through Dynamic Education"

SCHOOL OF DISTANCE EDUCATION

**PROGRAMME GUIDE
OF
DIPLOMA IN INTELLECTUAL PROPERTY LAW
(D.I.P.L.)
With effect from 2018-19**

BHARATI VIDYAPEETH DEEMED TO BE UNIVERSITY, PUNE

SCHOOL OF DISTANCE EDUCATION

Under The Faculty of Law

DIPLOMA IN INTELLECTUAL PROPERTY LAW

(Choice Based Credit and Grade System)

(To be implemented from July 2018)

1. AIM AND OBJECTIVE:

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

2. ACADEMIC PLANNER

	For June Admission Session Students	For January Admission Session Students
Admission Date	1 st July to 30 th September	1 st January to 28 th February
Eligibility Document Submission	1 st July to 30 th September	1 st January to 31 st March
Internal Home Assignment Submission	1 st October to 31 st October	1 st March to 31 st March
Examination Form Submission	January to February	July to August
University Examinations	April - May	October - November

3. ADMISSION PROCEDURE

The Application Form is available at each Academic Study Centres. The candidate will have to apply for admission to any academic programme of his / her choice in the prescribed form attached with Information booklet. University has made available the facility of 'Online application for Admission' to the students to apply for admission to the various programs. The candidate will be admitted provisionally to the programme on verification of the eligibility for admission. He / She will be asked to complete the eligibility requirement by submitting the required Marksheets, Leaving/Transfer Certificate, Educational Gap Certificate (if required), Aadhaar Card etc. After verification of required documents candidate admission will be confirmed.

4. ELIGIBILITY:

The candidate must be a graduate of any Faculty either of this University or of any other University whose degree is recognized, or equivalent to the corresponding degree of this University.

5. DURATION:

The duration of diploma programme conducted through open and distance learning mode is a one academic year although student may complete the programme gradually within a maximum period of Three years.

6. MEDIUM OF COURSE:

The medium of instruction and examination is English only.

7. COURSE STRUCTURE :

Sr. No.	Name of the Course	No. of Marks	No. of Credits	Study Input (in hrs.)
1.	INTELLECTUAL PROPERTY – EVOLUTION, CONCEPT & KIND	100	8	240
2.	LAW RELATING TO PROTECTION AND RECOGNITION OF PATENT	100	8	240
3.	LAW OF COPYRIGHT AND GEOGRAPHICAL INDICATIONS	100	8	240
4.	TRADEMARKS AND INDUSTRIAL DESIGNS	100	8	240
Total		400 Marks	32 Credits	960 Hours

8. CREDIT SYSTEM:

Each Diploma Program consists of four courses. Each course is allotted 8 credits. The total number of credits for every program is 32. Each credit constitutes 30 hrs. Hence the study input hours for each course shall be 240 hrs. The study input has to be fulfilled as follows:

Study Input = 240 hrs (per course)			
Credit = 8 credits (per course)			
Counseling sessions (24 hrs)		Self-Learning Material (SLM) Size of e-content	Assignments
Synchronous Chat	Asynchronous Chat (Discussion forum)		
12 hrs	8 Topics	30 Units	4

* Synchronous Chat:

It shall be a face to face interaction of the student with the faculty which shall include the counseling sessions, difficulty solving etc.

*Asynchronous Chat:

It shall provide a virtual platform where the faculty through online discussion forums resolves the difficulties of the student related to particular topics

*Self-Learning Material (SLM):

As the program is conducted in distance learning mode the student shall be provided with necessary self learning material which he/she needs to review regularly.

*Assignments:

The student needs to submit 4 assignments which shall carry 20 marks (5 marks per assignment)

9. SCHEME OF EXAMINATION:

The examination for the diploma program will be held at the end of the academic year. The medium of instruction and the examination shall be in English. Each course shall be evaluated out of 100 marks out of which 80 marks are for a written examination which will be conducted by the university & 20 marks for submission of assignments.

10. STANDARD OF PASSING:

In order to pass in the course and to earn the assigned credits the student must obtain 50% marks at the written examination and 50% marks in evaluation of assignments.

11. AWARD OF HONORS:

The criteria for the award of honors are as follows:

Range of Marks (in %)	Division
75% and above	Distinction
60% and above but less than 75%	First class
50 % and above but less than 60%	Second class

COURSE PAPER I: INTELLECTUAL PROPERTY – EVOLUTION, CONCEPT & KIND

Chapter 1: Concept of Intellectual Property Law

1. Concept of Intellectual Property.
2. Significance of Intellectual Property in commercial world.
3. Classification of Intellectual Property Law.
4. Basic understanding of Industrial Property
5. Basic Understanding of Copyright
6. Need for harmonisation of Intellectual Property.

Chapter 2: Harmonisation of Intellectual Property Laws by International Agencies.

1. United Nations by TRIPS
2. WTO
3. EEC
4. WIPO

Chapter 3: International Instrument relating Industrial Property.

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

Chapter 4: Copyright Law and International Convention

1. Berne Convention
2. UCC
3. Relevant provisions from WIPO relating copyright
4. Relevant provisions from TRIPS relating copyright

COURSE PAPER II: LAW RELATING TO PROTECTION AND RECOGNITION OF PATENT

Chapter1: Features of Patent

1. Concept of Patent.
2. History of Patent in India.
3. Essential features to acquire patent.
4. Specifications.
5. Non patentable inventions.
6. Patent in addition.

Chapter 2: Registration of Patent and its provisions for transfer of Patent.

1. Types of Patent.
2. Procedure for application.
3. Pre grant and post grant opposition of patents.
4. Effects of registration of Patents.
5. Rights and obligations of patentee.
6. Mode of assignment and its effects.
7. Licensing of patents
8. Concept of compulsory licensing, and circumstances when it can be issued.
9. Revocation of patents.
10. Government use of patents
11. Landmark cases

Chapter 3: Infringement of Patents and its remedies.

1. Concept of infringement
2. Remedies available in cases of infringer.
3. Defences available in case of infringement of patents.
4. Controller of Patents and his powers.
5. IPAB

Chapter 4 : Patents Act and living organisms

1. Concept of Biotechnology
 - Diamond v. Chakrabarty
 - **Dimminaco AG v. Controller of Patents and Designs**
 - Dolly Case.
2. Status of biotechnology patent in India.
3. Ever greening of patents.
4. 2005 Amendment to patent law of India and its impact on pharmaceutical industry.
5. Bio diversity
6. Plants Variety & Farmer's Right Act.

Chapter 5: International Instruments and International patent filing (55 hrs.)

1. Budapest Treaty
2. Madrid protocol
3. Hague Agreement
4. PCT
5. Paris Convention
6. TRIPS
7. US Patent System (USPTO)
8. European Patent System (EPO)

COURSE PAPER III: LAW OF COPYRIGHT AND GEOGRAPHICAL INDICATIONS

Chapter 1: Subject matter of Copyright

1. Meaning and nature of Copyright.
2. History of Copyright
3. Work in which Copyright Subsists.
4. Economic and moral rights.
5. Term of Copyright.

Chapter 2: Licensing and Assignment of Copyrights

1. Author and Owner of Copyright.
2. Licensing of Copyrights
3. Modes of Assignment of Copyright
4. Copyright Societies
5. Copyright Board

Chapter 3: Infringement and Remedies

1. Concept of Infringement
2. Remedies available in cases of Infringement
3. Concept of Fair deal.

Chapter 4: Performers rights and recent trends in Copyright Law

1. Performer rights
2. Amendment in Copyright Law in respect of performers rights
3. Broadcasting rights
4. Landmark judgements
5. Internet and Copyright.

Chapter 5: Geographical Indications

1. Concept of Geographical Indications.
2. Preference and Indicators and Schedule
3. Registration and restoration.
4. Offences and Punishments

COURSE PAPER IV: TRADEMARKS AND INDUSTRIAL DESIGNS

Chapter 1: Concept and Nature of Trademark.

1. Meaning of Trademark.
2. Utility and significance of Trademark.
3. Features of good trademark.
4. Service marks
5. Associate marks and collective marks.

Chapter 2: Registration, its effects and assignment of Trademark.

1. Procedure for registration
2. Grounds of refusal of trademark
3. Assignment and Licensing of Trademark.
4. Doctrine of honest and concurrent users.

Chapter 3: Infringement of Trademark

1. Infringement of trademark.
2. Remedies for infringement.
3. Passing off

Chapter 4: Concept of Designs, its registration piracy

1. Meaning of designs.
2. Designs as Industrial property.
3. Designs Act 2000 and its salient features
4. Procedure for registration.
5. Piracy of registered designs
6. Offences and penalties.