

KLE Society's Law College, Bengaluru

**Intellectual Property Rights – I
(Course Plan)**

Class- V Semester, LL.B.

Course Objectives:-

1. To provide an indepth understanding of the rationale of protecting Intellectual Property Rights (IPRs). Also to discuss the significance and importance of Intellectual Property Rights in the present era.
2. To educate the various forms of IPRs and learn about the foundation of Intellectual property regime by disseminating information on National and International IPR issues.
3. To discuss the fundamentals of Law relating to Patents, Trademarks and Geographical Indications. To study their scope and application in Indian context.
4. To discuss the contemporary issues relating to the Intellectual Property field such as cyber law and to analyze the impact of Information Technology Act, 2000.
5. To discuss the International Law relating to the protection and regulation of trade in IPRs.

| Unit No | Topic/ Sub-topic | No. of Hrs | Method of Teaching | Prerequisites- Readings | Supplementary Readings | Unit Outcome |
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| | Introduction | | | | | |
| 1.1 | Overview of the concept of property; Industrial Property and Non-Industrial Property. | 1 | Lecture, PPT and Discussion | P. Narayanan, "Intellectual Property Law", (Revised Edition) | V. K. Ahuja, "Law Relating to IPRs" | The students would be able to: 1. Conceive the idea of IPRs. Develop interest in the subject by appreciating the importance of creativity and inventions. |
| 1.2 | Historical background of IPRs. | 1 | | | | |
| 1.3 | Importance of human creativity in present scenario. | 1 | | | | |

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| 1.4 | Different forms of IP and its conceptual analysis. | 1 | | | | 2. Learn about various forms of IP and IPR regime. |
| Unit 1 | Patent Law in India | | | | | |
| 1.h 1 | Introduction and overview of patent protection. | 1 | Lecture, PPT, Discussion and Case Study Method | P. Narayanan, "Intellectual Property Law", (Revised Edition) | N. S. Gopalakrishnan & T. G. Agitha, "Principles of Intellectual Property" | The students would be able to: 1. Understand the basic Patent law practiced in India. 2. Analyze and understand the principles for the grant of a patent coupled with case studies. 3. Appreciate the justifications of recognizing the exclusive monopoly right granted to a patentee. 4. Critically appraise the patent law in both substantive and procedure terms. 5. Solve legal problems and provide effective legal advice to the clients concerning their patent rights and obligations. |
| 1.2 | History of Patent protections. | 1 | | | | |
| 1.3 | What is patent and definition of patent. | 1 | | | | |
| 1.4 | Object of patent; Scope and salient features of patent | 2 | | | | |
| 1.5 | How to obtain patent; Product patent and Process patent | 3 | | | | |
| 1.6 | Specification – Provisional and complete specification; Procedure for patent applications | 3 | | | | |
| 1.7 | Register of patents and Patent Office | 1 | | | | |
| 1.8 | Rights and obligations of patentee; Transfer of Patent Rights. | 3 | | | | |
| 1.9 | Government use of inventions | 2 | | | | |
| 1.10 | Biotech patents and patentability of life forms. | 1 | | | | |

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| 1.11 | Infringement of Patents; Offences and Penalties. | 1 | | | | |
| Unit 2 | Trade Marks | | | | | |
| 2.1 | Introduction and Overview of Trade mark | 1 | Lecture, PPT, Discussion and Case study method | P.Narayanan, "Intellectual Property Law", (Revised Edition) | V.K. Ahuja, "Law Relating to IPRs" | The students would be able: 1.To understand the concept of Trademark, its object and justifications in respect of monopoly rights over trademark. |
| 2.2 | Evolution and Object of Trademark Law; features of a good trademark; Different forms of trademark | 2 | | William Cornish, "Intellectual Property: Patents, Copyright, Trademark and Allied Rights", (2 nd Edition) | The Trade and Merchandise Marks Act, 1958. The Trade Marks Act, 1999. | 2.To understand the laws pertaining to trademarks in India. 3. To understand and appreciate the practice and procedure pertaining to registration of trademarks in India. |
| 2.3 | Trademark registry and register of trademark; property in a trademark | 2 | | | | 4. To understand the concepts of infringement and passing off in the light of decided cases. |
| 2.4 | Registrable and non-registrable trademarks | 1 | | | | 5.To understand and analyse the role of authorities, the rights of the proprietor of the trademark and also the offences and penalties relating to the same. |
| 2.5 | Basic principles of registration of trademarks | 2 | | | | |
| 2.6 | Deceptive similarity | 2 | | | | |
| 2.7 | Assignment and transmission; Rectification of register | 1 | | | | |
| 2.8 | Infringement of trademark; Passing off of trademark | 3 | | | | |
| 2.9 | Domain name protection and registration; Offences and Penalties | 2 | | | | |

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| Unit 3 | Cyber Law | | | | | |
| 3.1 | Introduction and overview of Cyber Intellectual Property. | 1 | Lecture, PPT and Discussion | Rodney Ryder – “Intellectual Property and the Internet”. | Unni – “Trade Mark, Design and Cyber Property Rights”. | The students would be able to: 1. Understand and analyze legal issues related to use of the internet. 2. Learn about the emergence of cyber crimes. 3. Understand the importance of provisions related to IP in the IT Act. |
| 3.2 | Intellectual property and cyberspace; Emergence of cyber crime | 1 | | | | |
| 3.3 | Grant in software patent and Copyright in software | 1 | | | | |
| 3.4 | Software piracy; Trade marks issues related to Internet (Domain name); Data protection in cyberspace | 3 | | Pavan Duggal – “Cyber Law: the Indian Perspective”. | Rahul Matthan – “The law relating to Computers and the Internet”. | |
| 3.5 | E-commerce and E-contract | 1 | | | | |
| 3.6 | Salient features of Information Technology Act; IPR provisions in IT Act; | 2 | | D. P. Mittal – “Law of Information Technology”. | The Information Technology Act, 2000. | |
| 3.7 | Internet policy of Government of India. | 1 | | | | |
| Unit 4 | Geographical Indications | | | | | |
| 4.1 | Introduction and overview of geographical indications | 1 | Lecture, discussion and case study method. | P.Narayana n, “Intellectual Property Law” (2013) (Revised Edition) | V.K.Ahuja, “Intellectual Property Rights in India”, (Second Edition) | The students would be able to: 1. Understand the concept of Geographical indications and its importance. 2. Understand the basic Law on Geographical Indications practiced in India. |
| 4.2 | Meaning and scope of geographical indications, important geographical indications of India and their features. | 2 | | | The Geographical Indication of Goods (Registration and Protection) Act, 1999. | |

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| 4.3 | Protection of Geographical indications, Protection of the Geographical Indications Act. | 2 | | | The Geographical Indication of Goods (Registration and Protection) Act, 2002. | 3.To appreciate the development of these laws and policies relating to the same. 4. Critically evaluate the provisions of the Act with the help of case study method. |
| 4.4 | Misleading use of Geographical indications, Registration of Geographical Indications. | 2 | | | | 5.Understand the practice and procedure pertaining to registration of GI, and critically appraise the functions of the Registrar thereof. |
| 4.5 | Right to use Geographical Indications, Infringement, Remedies against infringement. | 2 | | | | |
| 4.6 | Role and functions of Registrar of Geographical Indications | 1 | | | | |
| 4.7 | Conflict between Trademark and Geographical Indications | 1 | | | | |
| Unit 5 | International Conventions and Treaties. | | | | | |
| 5.1 | Paris Convention: Background; Salient features of Paris Convention; Governing rules of Paris Convention. | 1 | Lecture, PPT and Discussion | www.wipo.org | | The students would be able to: 1. Analyze the International character of IPRs. |
| 5.2 | Patent Cooperation Treaty: Background; Objectives of PCT; Salient features of PCT. | 1 | | | | 2. Understand the objectives of International Conventions and Treaties. |
| 5.3 | Madrid Convention: Salient features; International registration of marks. | 1 | | | | |

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| 5.4 | World Intellectual Property Organisation(WIPO): Background; Salient features WIPO; Organisation of WIPO. | 2 | | | | 3. Appreciate the role of WIPO in promoting and protecting IPRs throughout the world. |
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No. of Teaching hours – 64
 No. of Library hours – 2
 No. of Assessment hours – 2
 No. of hours for Revision and Question Paper Solving – 6
 No. of Documentaries to be screened – 2

No. of Students presentation - 4
 No. of Hand outs – 4
 No. of Writing Exercises – 2
 No. of Case Studies – 24

Guest Lectures – 2

Any Links:

www.ipr.nic.in

www.wipo.org

Course Outcome:

- **Industry/ Professional Skills:** Industry specific and professional skills are acquired like critical thinking, scientific approach, legal knowledge both substantive and procedural.
- **Human Values:** Innovation with integrity, fair use, sharing, preservation of resources and respecting indigenous knowledge.

Academic Co-ordinator –

Course Teacher – Mrs. Shruti Phonde and Mrs. Ramya K.

Coordinator

Internal Quality Assurance Cell
 KLE Society's Law College, Bangalore.

Principal
K.L.E. Society's Law College
Sir M. Vishweshwariah Layout
Bengaluru-560 091