

COURSE-II: OPTIONAL – V: INTELLECTUAL PROPERTY RIGHTS-II

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 works 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 contents:

UNIT I

Indian Copyright Law: Introduction and overview of copyright: 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; Licences; Infringement of copyright; Remedies against infringement of copyright.

UNIT II

Biological Diversity Law: Introduction and overview of Biological Diversity; Meaning and scope of Biological Diversity; Biological resources and traditional knowledge; Salient features of Biological Diversity Act 2002; Regulation of access to Biological Diversity; National Biodiversity Authority; Functions and powers of Biodiversity Authority; State Biodiversity Board; Biodiversity Management Committee and its functions.

UNIT III

Protection of Plant Varieties and Farmers Rights Law: Legal concepts relating to the protection of plant varieties rights; Legal concepts relating to the protection of plant breeders rights; IPR in new plant varieties; Policy and objectives of protection of plant varieties and farmers rights Act; Plant varieties and Farmers rights protection authority; National register of plant varieties; Procedure for registration; Rights and privileges; Benefit sharing; Compensation to communities; Compulsory licence; Infringement; Relief against infringement; National Gene Fund.

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 of Controller; Distinction between design, trade mark, copyright & patent.

UNIT V

International Treaties / Conventions on IPR: TRIPS Agreement: Background; Salient Features of TRIPS; TRIPS and Indian IPR; **Berne Convention:** Background; Salient features of Berne Convention; **Convention on Biological Diversity: Objectives of CBD; Salient features of CBD;** International IPR agreements affecting protection of plant varieties: The WTO Doha round of trade negotiations; International Treaty on Plant Genetic Resources (“ITPGR”).

Prescribed Books:

1. Narayan, S., *Intellectual Property Law in India*, (Hyderabad: Gogia Law Agency, 2005)
2. Cornish, William, *Intellectual Property: Patents, Copyright, Trademark and Allied Rights*, 2nd Edition, (London: Sweet & Maxwell, 1998)

Reference Books:

1. Ganguli, Prabuddha, *Intellectual Property Rights: Unleashed the knowledge Economy*, (Tata Mc GrawHillPublishing Co., 2001)
2. Caddick, Nicholas et (al)., *Copinger&Skone James, Copyright*, 16th Edition, (U.K: Sweet & Maxwell, 21013) .
3. Unni, *Trade Marks and the Emerging concepts of Cyber Property Rights*, (Kolkata: Eastern Law House, 2002)
4. Verkey, Elizabeth, *Law of Plant Varieties Protection*, 1st Edition, (Eastern Book Co., 2007)
5. Acharya, N.K, *Text Book on Intellectual Property Rights*, 7th Edition, (Asia Law House, 2014)
6. Das, J.K., *Intellectual Property Rights*, 1st Edition, (Kamal Law House, 2008)