



BIRLA INSTITUTE OF TECHNOLOGY AND SCIENCE, Pilani
Pilani Campus
AUGS/ AGSR Division

SECOND SEMESTER 2020-21
COURSE HANDOUT

Date: 12.03.2021

In addition to part I (General Handout for all courses appended to the Time table) this portion gives further specific details regarding the course.

Course No : PHA G545
Course Title : INTELLECTUAL PROPERTY RIGHTS AND PHARMACEUTICALS
Instructor-in-Charge : HEMANT R JADHAV

1. Course Description:

Key aspects of intellectual property law and their impact on Pharmaceutical industry; concept of property with respect to intellectual creativity; emerging debates, policy issues and law reforms related to IPR with respect to pharmaceuticals; Issues of Intellectual Property such as Patents, Copyright, Trademarks, and Design; rules and regulations of marketing and competition; Patent processing, infringement of patents, ethics and economic issues related to IPR.

2. Scope and Objective of the Course:

This course considers key aspects of intellectual property law. It covers Indian legal system & its role in IPR. The course describes concept of property with respect to intellectual creativity. Issues of Intellectual Property such as Patents, Copyright, Trademarks, and Design will be discussed. Patent procedures, infringement of patents, ethics and economic issues related to IPR will be discussed. The overall objective of this course is to equip students and stakeholders with knowledge of Intellectual Property Rights (IPR) related protection systems, their significance and use of IPR as a tool for wealth and value creation in a knowledge-based economy.

3. Text Book: Cornish, William R., 'Intellectual Property: Patents, Copyrights, TM & Allied Rights', Sweet & Maxwell Ltd., 8th Ed. 2013.

4. Reference Books/material:

1. Feroz Ali Khader, 'The Law Of Patents-With A Special Focus On Pharmaceuticals In India', Lexis Nexis, 3rd Ed, 2011
2. Besides the above, relevant information on the topics are also available online at
 - www.ipindia.nic.in
 - www.uppto.gov.in

5. Course Plan:

Module No.	Lecture Session	Reference	Learning outcomes
1	Evolution of IP system, Introduction of novelty and non-obviousness principles, Importance of IPRs, Development of IPRs in India	TB Ch 2; RB Ch1	Concept of IPRs
2	Copyrights: subject matter, rights associated, procedure for acquiring rights, remedies and infringement issues	TB Ch 10-14; RB 2	Understanding Law of Copyright
3	Trademarks: subject matter, rights associated, procedure for acquiring rights, remedies and infringement issues	TB Ch 16-17; RB 2	Understanding Law of trademark
4	Miscellaneous IPRs like Industrial Designs, Geographical Indications, Trade Secretes, Protection against Unfair competition	TB Ch 15, 20, 21; RB 2	Understanding miscellaneous IPRs



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5	Patents: Conditions of patentability, NUNS test	TB Ch 4, 6	What can be patented?
6	Indian patent system, application procedure, forms, specifications and priority dates	RB Ch 9-10	Understanding Indian Patent Law
7	American patent system, specifications, Hatch Waxman Act	TB Ch 4, 7	Understanding American Patent Law
8	Compulsory licensing, legal issues related to Patents, Doctrine of Equivalents	TB Ch 7; RB Ch 16-23	Fields of exploration
9	International treaties and conventions on IPRs with special emphasis on Patent Cooperation Treaty (salient features of the PCT, filing etc)	Class notes	Knowing various international treaties related to IPRs
10	Patent office procedures, examination of patent applications, basics of drafting patent, types of Claims, Constructing Claims, Infringement issues in Patent Drafting	RB Ch 6, 7; class notes	Patent drafting methods

6. Evaluation Scheme:

Component	Duration	Weightage (%)	Date & Time	Nature of component (Close Book/ Open Book)
Mid-Semester Test	90 Min.	35		Closed book and/or open book
Comprehensive Examination	120 Min.	40	19/6/2021; AN	Closed book and/or open book
Continuous assessment*		25		

*Continuous assessment will be based on theory covered and will be in terms of home assignments, quizzes, projects, viva-voce, presentations, etc. Exact topics and number will be announced in class.

** It is strongly advised that all students prepare their own notes and relevant information from lectures, text and reference books as given in handouts. Only notes and books (given in hand out) will be allowed for consultation during open book assessments. Photocopies of any material, written or printed will not be permitted due to copyright issues.

*** Recent developments in the area/topic will be discussed in class and hence some information may differ from the information in text or reference material. Such discussions held in class will be considered as primary source of information in assessments and hence students are expected to take note.

7. Chamber Consultation Hour: Room No. 3170 X, Time to be announced in class.

8. Notices: Notices concerning the course will be displayed on the Pharmacy Group Notice Board only.

9. Make-up Policy: Generally make-up will be considered for regular students only. It is solely dependent on the 'genuineness' of the circumstances. The make-up application should be personally given to instructor-in-charge.

10. Note (if any): Students are advised to read, collect additional information on the above mentioned topics. All evaluation components are equally important, irrespective of weightage. Hence, students failing to attend scheduled classes, or absenting themselves in one or many of the evaluation components, may become ineligible for obtaining a valid grade at the end of the semester. Attendance in all lectures and assessments are equally important as they are all integral components of learning, irrespective of weightage and may be taken into consideration during grading.

Instructor-in-Charge
Course No. PHA G545