

## **COURSE-III: 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 familiarise the learners about the documentation and administrative procedures relating to IPR in India. The subject Intellectual Property Law divided into two Papers namely Paper - I and Paper - II of 100 marks each.

### **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; 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; Biological Diversity concerns and issues; Bio piracy; Regulation of access to Biological Diversity; National Biodiversity Authority; functions and 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; 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 and 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 Paris Convention; Convention of Bio-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. Narayanan - Intellectual Property Law.
2. Cornish William - Intellectual Property.

### **Reference Books:**

1. Justice P. S. Narayana - Intellectual Property Law in India.
  2. N. K. Acharya - Intellectual Property Rights.
  3. Das .J K. - Intellectual Property Rights.
  4. Ganguli - Intellectual Property Rights: Unleashed the knowledge economy.
  5. Copinger & Skine James - Copyrights
  6. Pal P. - Intellectual Property Rights in India.
  7. Unni - Trade Mark, Design and Cyber Property Rights.
- Elizabeth Verkey - Law of Plant Varieties Protection