

APPENDIX – I

POST GRADUATE DIPLOMA IN INDUSTRIAL & INTELLECTUAL PROPERTY LAW (PGDIPL)

Sr.No.	Name of the Paper	No. of Credits	Max. Marks	Min. Marks
1	Historical Evolution and International Perspective of Industrial and Intellectual Property	4	Theory 80 I. A. 20	40 10
2	Law of Patents and Copyrights	4	Theory 80 I. A. 20	40 10
3.	Law of Trademarks and Designs	4	Theory 80 I. A. 20	40 10
4.	Practical : 1.Project Work (ext. Examiner) 75Marks 2.Viva –Voce (ext. Examiner)25 Marks 3.Group Discussion(ext. Examiner) 50Marks 4.FieldWork/Visits(Internal Examiner)50Marks	8	200	100

APPENDIX – II
DETAILED SYLLABUS FOR
POST GRADUATE DIPLOMA IN INDUSTRIAL AND INTELLECTUAL PROPERTY
LAW.(PGDIIPL)

PAPER – I
HISTORICAL EVOLUTION AND INTERNATIONAL PERSPECTIVE OF INDUSTRIAL
AND INTELLECTUAL PROPERTY.

1. Introduction and historical evolution of the industrial and intellectual property
 - (i) Concept of property
 - (ii) Rationale behind protection of property
 - (iii) Kinds of property
 - (iv) Industrial and intellectual property : nature, scope, objectives and meaning of industrial and intellectual property.
 - (v) Competing rationales of legal regimes for the protection of industrial and intellectual property, UN approach: UNCTAD and UNCITRAL, position in UK, USA and India

2. International perspective of industrial and intellectual property .
 - (i) International instruments relating to the protection of industrial and intellectual property.
 - (ii) Development of industrial and intellectual property law in India.
 - (iii) Recent trends in the field of industrial and intellectual property. : WTO/TRIPS Agreement, plant patenting, sui generis protection of plant varieties, multinational ownership, traditional knowledge, rights of indigenous people, transfer of technology, bio-piracy , Convention on Biological Diversity. (salient features)

PAPER – II

LAW OF PATENTS AND COPYRIGHTS.

Part – A

1. Introduction

- (i) Objectives and basic concepts of patent, meaning, nature and kinds of patent.
- (ii) Historical evolution of patent law in India
- (iii) Objectives, basic concepts, meaning and nature of copyright.
- (iv) Historical evolution of copyright law in India.

2. The Patents Act, 1970

- (i) Patentability of inventions, persons entitled to apply for registration of patents
- (ii) Procedure for registration of patents
- (iii) Rights and obligations of patentee
- (iv) Patent office, Controller of Patents, Patent register, Patent agent
- (v) Working of patents, abuse of patent rights and grant of compulsory licenses.
- (vi) Revocation of patent
- (vii) Government use of inventions
- (viii) Infringement of patent rights, and remedies for infringement, defenses in suits for infringement
- (ix) Appellate Board
- (x) International patents
- (xi) Recent developments in the field of patent law
 - a) TRIPS obligations
 - b) Amendments of 1999 & 2002 in the Patents Act, 1970
 - c) Biotechnology patents
 - d) Patent protection for new products of health care & food security.

Part – B

3) The Copyright Act, 1957

- (i) Copyright in literary, dramatic and musical works
- (ii) Copyright in sound records and cinematograph films
- (iii) Copyright in computer programmes
- (iv) Ownership of copyright
- (v) Assignment of copyright
- (vi) Author's special rights
- (vii) Notion of infringement
- (viii) Criteria of infringement
- (ix) Infringement of copyright by films, of literary and dramatic works
- (x) Importation and infringement
- (xi) Fair use provisions
- (xii) Piracy in internet
- (xiii) Aspects of copyright justice
- (xiv) Remedies

PAPER – III

LAW OF TRADEMARKS AND DESIGNS

1. Introduction

- 7) Concept of trademarks and its meaning
- 8) Historical perspective
- 9) Concept of designs and its meaning
- 10) Objective of protecting designs

2. Law of Trade and Merchandise Marks (Trade Marks Act. 2000)

- (i) Registration of trade marks
- (ii) Distinction between trademark and property mark.
- (iii) Doctrine of honest current user.
- (iv) Doctrine of deceptive similarity
- (v) Protection of well known marks
- (vi) Passing off and infringement
- (vii) Criteria of infringement
- (viii) Standards of proof in passing off action
- (ix) Remedies

3. Law of Trade Designs (The Designs Act 2000)

- (i) Definitions, basic concepts, functional designs, inventor of designs and the rights
- (ii) Registration – Procedure and benefits, registration authorities, powers and functions, designs copyright, term of design, compulsory license, license of right assignment.
- (iii) Protection of design- infringement of design, remedies against infringement
- (iv) International Conventions and Agreements for protection of trade design

4. Salient features of geographical indications

PAPER – IV

Practical –

1.Project Work	(ext. Examiner)	75Marks
2.Viva –Voce	(ext. Examiner)	25 Marks
3.Group Discussion	(ext. Examiner)	50Marks
4.FieldWork/Visits	(Internal Examiner)	50Marks

Total : 200 marks

BOOKS SUGGESTED FOR READING :

- 1) Cornish W.R. Intellectual Property, Patents, Trade marks, Copyrights and Allied Rights (1999) Asia Law House, Hyderabad.
- 2) Vikas Vashist, Law and Practice of Intellectual Property (1999)
- 3) P. Narayanan, Intellectual Property Law (1999) Eastern Law House, Calcutta
- 4) Gopalkrishnan, N.S Intellectual Property and Criminal Law, 1st Edn. 1994. National Law School of India University, Bangalore.
- 5) Baxi, U. The Law of Intellectual Property Copyright Law in India (1989)
- 6) Lal's Copyright Act, 3rd Edn. 1995 (Law publications.)
- 7) P.S. Sangal and Kishore Singh, Indian Patent System and Paris Convention : Legal Perspectives (1987)
- 8) Nagaranjan, R. K Intellectual Property Law (2003) Allahabad Law Agency