

PAPER – 105

LAW OF INDUSTRIAL AND INTELLECTUAL PROPERTY

Syllabus :

1. IPR and International Perspectives
2. Trademarks and Consumer Protection (Study of UNCTAD report on the subject)
3. Special Problems of the Status of Computer Software in Copyright and Patent Law :
A Comparative Study
4. Patent Search, Examination and Records
 - 4.1 International and global patent information retrieval system (European Patent Treaty)
 - 4.2 Patent Co-operation Treaty (PCT)
 - 4.3 Differences in resources for patent examination between developed and developing societies
 - 4.4 The Indian situation
5. Special Problems of Proof of Infringement
 - 5.1 Status of intellectual property in transit - TRIPS obligation Indian position
 - 5.2 The evidentiary problems in action of passing off
 - 5.3 The proof of non-anticipation, novelty of inventions protected by patent law
 - 5.4 Evidentiary problems in piracy : TRIPS obligation-reversal of burden of proof in process patent
 - 5.5 Need and Scope of Law Reforms
6. Intellectual Property and Human Right
 - 6.1 Freedom of speech and expression at the basis of the regime of intellectual property right - copyright protection on internet - WCT (WIPO Copyright Treat 1996)
 - 6.2 Legal status of hazardous research protected by the regime of intellectual property law
 - 6.3 Human right of the impoverished masses intellectual property protection of law products for healthcare and food security.
 - 6.4 Traditional knowledge - protection - biodiversity convention - right of indigenous people

Select bibliography :

Special attention should be given to literature of the U.N. System, WIPO and the UNESCO.

Terenee P. Stewart (ed.), *The GATT Uruguay Round : A Negotiating History (1986-1994) the end gam (Part-1)* (1999), Kluwer

Iver P. Cooper, *Biotechnology and Law* (1998), Clerk Boardman Callaghan, New York

David Bainbridge, *Software Copyright Law* (1999), Butterworths Sookman, Computer Law (1998), Carswell

Carlos M. Correa (ed.), *Intellectual Propety and International Trade Patent Co-operation Treaty Hand Book* (1995) Sweet and Maxwell

Christopher Wadlow. *The Law of Passing-Off* (1998), Sweet and Maxwell

W.R. Cornish, *Intellectual Property Law* (1999), Sweet and Maxwell