

Business Law Group

Paper– III. Law of Industrial and Intellectual Property

100 (4 Credits)

Objective :-

Main reason for the introduction of this subject in Business Law group to acquaint students regarding Intellectual Property Rights. In present times, it is necessary to have comprehensive knowledge of Patent Laws, Trade mark Laws Copyright Laws etc. Human Rights perspective are also included in this course.

- 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.

Bibliography.

- 1. Terence P. Stewar (ed.), The GATT Uruguay Round : A Negotiating History (1986-1994) The End Game (Part-1)(1999), Kluwer.
- 2. David Bainbridge, Software Copyright Law (1999), Butterworths.
- 3. W.R. Cornish, Intellectual Property Law (1999), Sweet and Maxwell.