

## B.A.LL.B (Hons.) 5 YEARS INTEGRATED COURSE

### SEMESTER-X

Course Code	BAL908
Course Title	Intellectual Property Rights
Type of Course	Core
L T P	5 1 0
Credits	6
Course Prerequisites	12th
Course Objectives (Co.)	This Course explores the contours of Intellectual Property Rights (IPR) through critical lens. It introduces the law students to various aspects of copyright, trademark, patent and designs law that requires deep deliberation and reflection especially in the globalized context. Besides, the course will examine the philosophical foundations of recognizing intellectual property rights. Instead of confining understanding of copyright, patents, trademarks and designs from the perspective of Indian laws, this course opens up debates within the globalized framework..

#### UNIT-I

Origin and development of Intellectual Property  
Philosophical Justification of Intellectual Property  
Subject-matter of Intellectual Property

#### UNIT-II

**Copyrights:** Idea-expression Dichotomy, Works Protected by Copyright, Registration of Copyright, Term of Copyright Protection, Rights conferred by Copyright, Performers' Rights, Doctrine of Fair-use, Copyright Societies, Infringement and Remedies.

**Trademarks:** Essential features of a Trademark, Conventional and Contemporary marks, Registration; Grounds for Refusal of Registration; Difference between infringement of Trademark and Passing off; Infringement and Remedies.

#### UNIT-III

**Industrial Designs:** Concept of a Design, Essential Features, Registration of Designs; Infringement of Industrial Designs under the Designs Act, 2000

**Patents:** Meaning of a Patent, Rationale behind Patent Protection, Patentability Requirements, Process of obtaining a patent, Revocation of patent; Compulsory Licensing; Duration of Patent Grant; Infringement and Remedies

#### **UNIT-IV**

**International Protection-** Introduction to TRIPS Important Provisions relating to: Protection of Copyrights under Berne Convention 1886; Protection of Trademarks under Madrid Agreement 1891; Patent Filing under Patent Cooperation Treaty 1970; Protection of Industrial Design under The Hague System 1925.

#### **Suggested Readings:**

##### **Books:**

- Claudy Op den Kamp, Dan Hunter, A History of Intellectual Property in 50 Objects, Cambridge University, 2019
- Cornish W.R: Intellectual Property Law, Sweet and Maxwell, 1999
- Gopal Krishan N.S: Cases and Material on Intellectual Property Law, Law Publication, Allahabad
- H.K. Saharay, Iyengar's Commentary on the Copyright Act, Universal Law Publishing, 2016
- M.K. Bhandari: Law relating to Intellectual Property Rights, Central Law Publications, 2017.
- P. Narayan, Patent Law, Eastern Law House, 2017
- P. Narayanan, Intellectual Property Law, Eastern Law House, 2018
- VK Ahuja, Law Relating to Intellectual Property Rights, LexisNexis, 2017

