



**NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM**

**PROGRAMME: B.A., LL.B (HONS)FYIC**

**DETAILS OF COURSE OFFERED**

**ODD SEMESTER (IX)– ACADEMIC YEAR :.....**

<b>SL. NO.</b>	<b>COURSE CODE</b>	<b>COURSE TITLE</b>	<b>L</b>	<b>T/ P</b>	<b>CR</b>	<b>CH</b>
<b>1</b>	<b>BL 905.10 IPR, SP 1</b>	<b>BASICS OF TRADEMARK AND GEOGRAPHICAL INDICATION</b>	<b>4</b>	<b>1</b>	<b>4</b>	

- A. CODE AND TITLE OF THE COURSE: BL905.10 , BASICS OF TRADEMARK AND GEOGRAPHICAL INDICATION**
- B. COURSE CREDIT: 4 (TOTAL MARKS 200)**
- C. MEDIUM OF INSTRUCTION: ENGLISH**
- D. COURSE COMPILED BY: DR. THYWILL SUSNGI, GUEST FACULTY OF LAW, IPR.**
- E. COURSE INSTRUCTOR:**

## **1. COURSE OBJECTIVES**

The main objective of the course are as follows:

- To develop the basic understanding of the principles and essentials features of trademark and Geographical Indication .
- To provide comprehensive understanding of trademark and geographical indication laws in India, through theoretical learning and cases.
- To gain insight into legal frameworks, procedures and principles governing trademarks and geographical indications.

## **2. TEACHING METHODOLOGY**

- Lecture-cum-discussion method.
- Interactive classroom teaching with the aid of practical approach for value-based learning.
- Article based discussion
- Case study and analysis of landmark and latest case laws.

## **3. COURSE LEARNING OUTCOME**

- On successful completion of this Course, a student should be able to understand the basic concepts and fundamental principles as of trademarks and geographical indications and its practical utility.
- The student should be able to develop strategies for effective managing and enforcing trademark and geographical indication rights.
- The student should be able to analyse trademark and geographical indication disputes, including infringement cases and apply relevant legal principles.

## **4. COURSE EVALUATION METHOD**

Students will be assessed through continuous evaluation requiring the students to submit and present allotted projects and appear in the mid-semester and end-semester examination. All examinations are compulsory and no exemption is allowed in order to complete the course successfully.

Mid semester exam: 30 marks

End semester exam: 70 marks

## **5. DETAILED STRUCTURE OF THE COURSE (SPECIFYING COURSE MODULES AND SUB-MODULES)**

**MODULE I: Introduction to Trademarks and Geographical Indications**

- 1.1 Overview introduction of Trademarks and Geographical Indications.
- 1.2 Definition and significance of Trademarks and Geographical indications
- 1.3 Evolution of trademark and geographical indication laws in India.
- 1.4 International conventions and agreements related to Trademarks and Geographical Indications.

## **MODULE II: Trademark Law**

- 2.1 Legal framework: The Trade Marks Act, 1999.
- 2.2 Criteria for trademark registration:
  - 2.2.1 Distinctiveness and types of Trademarks
  - 2.2.2 Arbitrary, suggestive, descriptive, and generic;
  - 2.2.3 Secondary meaning and acquired distinctiveness;
- 2.3 Procedure for trademark registration and Examination
- 2.4. Grounds of refusal and opposition proceedings
- 2.5 Rights conferred by trademark registration.
- 2.6 Passing-off & Infringement
  - 2.6.1 Non-traditional Trademarks
  - 2.6.2 Sound, colour, shape, scent, hologram.
- 2.7 Remedies for trademark infringement.

## **MODULE III: Geographical Indications Law**

- 3.1 Legal framework: The Geographical Indications of Goods (Registration and Protection) Act, 1999;
- 3.2 Procedure for Geographical Indication registration and examination.
- 3.3 Rights conferred by geographical indication registration
- 3.4 Protection of geographical indication against misuse and infringement
- 3.5 Enforcement mechanisms of geographical indications.

## **MODULE IV: Trademark and Geographical Indication Enforcement**

- 1.1 Comparison between GIs and Trademark Laws
- 1.2 Anti-counterfeiting measures and border enforcement
- 1.3 Case studies and practical examples of trademark and geographical indication enforcement.

1.5 Emerging trends in trademark and geographical protection.

## **6. PRESCRIBED READINGS**

*Students are advised to go through the recent editions of the recommended books*

1. Law relating to Intellectual Property Rights by V.K. Ahuja.
2. Handbook on the Geographical Indications (With Special Focus on North-East Region) by Prof. (Dr.) V.K. Ahuja *et.al.*
3. Intellectual Property Law and Practise by Elizabeth Verkey
4. Intellectual Property Law by P. Narayanan
5. Law relating to Intellectual Property Rights by M.K. Bhandari
6. K.C. Kailasham & Ramu Vedaraman, Law of Trade Marks & Geographical Indications, LexisNexis butterworths.
7. Latha R. Nair & Rajendra Kumar, Geographical Indications-a search for identity, butterworths.
8. The Trade Marks Act, 1999
9. The Geographical Indications of Goods (Registration and Protection) Act, 1999.
10. Intellectual Property Law-I, Trademarks, Designs & Geographical Indications by Deepak Singh.