



National Law University and Judicial Academy, Assam

Programme:

Protection of Geographical Indications: A Practical Approach

Details of Course offered

Odd Semester – Academic Year 2022-2023

Sl. No	Course Code	Course Title	L	T	P	CR	CH
1.	OP 5.7	Protection of Geographical Indications: A Practical Approach	2	0	0	2	

- a. **Code and Title of the Course:** Protection of Geographical Indications: A Practical Approach
- b. **Course Credit:** 2 [Total Marks - 50 (End Semester Exam - 30 marks, Project – 20 marks)]
- c. **Medium of Instruction:** English
- d. **Course Compiled by:** Sharmistha Baruah and Dolly Kumar
- e. **Course Instructor:** Sharmistha Baruah and Dolly Kumar

1. Course Objectives

This proposed course is intended to provide the enrolled students of the University a holistic approach to the regime of Geographical Indications (GI) with a view to acquaint, understand and apply it in the practical field.

2. Teaching methodology

The course will be delivered by lecture-cum-discussion method. There will be interactive classroom teaching with the aid of audio-visual facilities, internet, power-point presentations and also practical approach for value-based learning. Important materials shall be provided to the students from time to time. For better understanding of the course, the focus shall be on providing recent developments pertaining to the specific areas and highlighting the important case studies for analysis to the students.

3. Expected Outcomes of the Course

On successful completion of this Course, a student would be in a position to understand and apply the practical relevance with regard to the GI assertion and their protection under various legal settings. The course shall enable the students to undertake exercise to raise questions, carry out research and motivate them to generate IPR awareness among the masses.

4. Course Evaluation Method

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

5. Detailed Structure of the Course (specifying course modules and sub-modules)

Module 1: Introduction to Geographical Indications (7 Classes)

Meaning and Concept of Geographical Indications; Definitions of relevant terms under Section 2(1) of the Geographical Indications of Goods (Registration and Protection) Act, 1999; Classification of Goods [Schedule IV of the GI Rules, 2002] and Registered GIs of North-East India; Geographical Indications as Community Rights; Geographical Indications, Certification Mark, Collective Mark and Trade Mark.

Module 2: Procedural aspects of GI application and Registration (7 Classes)

Practical aspects of GI Registration – Filing of Application (Form GI-1), requisite conditions for filing of application, Post-application Procedures - Preliminary Scrutiny and Examination, Publication in the GI Journal, Opposition and Hearing, GI Order and Certificate of Registration, Quality Control Mechanism.

Module 3: Rights conferred by registration, Infringement and Remedies

(7 Classes)

Rights granted to the Registered Proprietors and Authorised Users, Infringement of GIs, Civil Remedies [Sections 66, 67 and 73 of the Geographical Indications of Goods (Registration and Protection) Act, 1999], Criminal Remedies – Offences and Penalties [Chapter VII of the Geographical Indications of Goods (Registration and Protection) Act, 1999].

Module 4: Case Analysis (North East Region)

(7 Classes)

Analysis of five (5) case studies from North East Region:

- i. Muga Silk of Assam,
- ii. Assam (Orthodox) Tea,
- iii. Chak-Hao of Manipur,
- iv. Mizo Chilli of Mizoram,
- v. Chakhesang Shawl of Nagaland.

Note: *One day for Exam (End Semester Exams) and one day for Presentation of Project totalling to Thirty days.*

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