



**National Law University and Judicial Academy, Assam**

**Programme:**

**Practical Approach towards Patents**

**Details of Course offered**

**Even Semester – Academic Year 2023-2024**

<b>Sl. No</b>	<b>Course Code</b>	<b>Course Title</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>CR</b>	<b>CH</b>
<b>1.</b>	<b>OP 407</b>	<b>Practical Approach towards Patents</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	

- a. Code and Title of the Course:** Practical Approach towards Patents
- b. Course Credit:** 2 [Total Marks - 50 (End Semester Exam - 30 marks, Project – 20 marks)]
- c. Medium of Instruction:** English
- d. Course Compiled by:** Dr. Pankaj Kumar, DPIIT-IPR Chair Professor
- e. Course Instructor:** Dr. Pankaj Kumar, DPIIT-IPR Chair Professor

## **1. Course Objectives**

This proposed course is intended to provide the enrolled students of the University a holistic approach to the regime of Patents Law 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 patentability of inventions 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 Patents (7 Classes)**

Overview of the Indian Patent Act; Definition and interpretation - Invention, new invention, inventive step, capable of industrial application; Persons entitled to apply for patents and Patent Information.

### **Module 2: Criteria of Patentability (7 Classes)**

Elements of Patentability; inventions which are not patentable; Rights of patentee; Type of person - inventor, applicant, patentee, assignee, person & person interested; Term of patent protection; Patent

Commercialisation – Assignment and Licensing and Patent System in India.

**Module 3: Procedure of Patent Filing and Post-Filing (7 Classes)**

Types of Patent Application - Ordinary application, Convention application, International application etc.; Patent drafting: Invention Disclosure Format (IDF), Patent Specification - types of Patent specification, contents of specification; Legend of claims recital; Post-filing Patent Procedures - Statement & undertaking about foreign filings, proof of rights, Patent publication (pre and post-grant), patent office journal, examination of patent application.

**Module 4: Case Analysis (North East Region) (7 Classes)**

Patent Examination Report - First Examination reports(FER) /office action (OA), Preparation of response to FER, Patent hearing; Prior-art searching - How to search Prior-art, where to do the Prior-art search, search reports, case study; Prior-art sources - Patent Databases, non-patent databases; Disposal of patent application - acceptance for grant of patent or refusal, patent certificate; Post-grant patent compliances - Submission of Working information of patented invention, Renewal of the patent; Patent oppositions and the Grounds; Drafting a patent opposition, case study; and Patent Cooperation Treaty.

**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. Law of Patents by Elizabeth Verkey
3. Patent Law Cases and Materials – A Synthesis for India by Adarsh Ramanujan
4. Indian Patent Law and Practice by K.C. Kankanala
5. Law relating to Intellectual Property Rights by M.K. Bhandari
6. Law Relating to Intellectual Property by B. L. Wadehra
7. The Law of Patents with special Focus on Pharmaceuticals in India by Feroz Ali Khader