



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

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

DETAILS OF COURSE OFFERED

EVEN SEMESTER (VIII)– ACADEMIC YEAR :.....

SL. NO.	COURSE CODE	COURSE TITLE	L	T/ P	CR	CH
1	BL803.10 OP III	GENERAL INTRODUCTION TO INTELLECTUAL PROPERTY LAWS – II	4	1	4	

- A. CODE AND TITLE OF THE COURSE: BL803.10, OP-III, GENERAL INTRODUCTION TO INTELLECTUAL PROPERTY LAWS – II**
- B. COURSE CREDIT: 4 (TOTAL MARKS 200)**
- C. MEDIUM OF INSTRUCTION: ENGLISH**
- D. COURSE COMPILED BY: DR. SHARMISTHA BARUAH, RESEARCH OFFICER, DPIIT-IPR CHAIR, NLUJAA**
- E. COURSE INSTRUCTOR: DR. SHARMISTHA BARUAH, RESEARCH OFFICER, DPIIT-IPR CHAIR, NLUJAA**

1. COURSE OBJECTIVES

The course intends to provide the students with a comprehensive understanding of key elements in Intellectual Property, focusing on Patents, protection of Plant Varieties and Farmers' Rights (PPVFR), Traditional Knowledge (TK), Biodiversity, and Layout Design of Integrated Circuits (IC). Through a detailed exploration of legal frameworks, international agreements, and national regulations, students will gain insights into the complexities of protecting intellectual property in diverse domains. The course aims to equip students with the knowledge and analytical skills necessary to navigate the legal intricacies surrounding Patents, PPVFR, TK, Biodiversity, and Layout Design of IC, fostering a nuanced understanding of contemporary intellectual property challenges.

2. TEACHING METHODOLOGY

The course will be delivered by lecture-cum-discussion method. There will be interactive classroom teaching with the aid of 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. COURSE LEARNING OUTCOME

On successful completion of this Course, a student would be in a position to analyse and apply legal frameworks for Patents, protection of Plant Varieties and Farmers' Rights (PPVFR), Traditional Knowledge (TK), Biodiversity, and Layout Design of Integrated Circuits, thereby highlighting their significance under the IPR regime. The course shall enable the students to evaluate the ethical and legal implications of Intellectual Property in diverse contexts, addressing challenges such as addressing issues like bio piracy, protection of traditional knowledge, cultural misappropriation and layout design rights. Overall, the course aims to equip students with the knowledge and skills to navigate complex issues in Intellectual Property Law related to Patents, PPVFR, TK, biodiversity, and layout design.

4. COURSE EVALUATION METHOD

The Course shall be assessed for 200 marks.

The Evaluation Scheme would be as follows:

Internal Assessment: 70% (140 marks)

Semester End Examination: 30% (60 marks)

Sl. No.	Marks Distribution	
1	Project Work	40 marks
2	Seminar/Group Discussion	20 marks
3	Assignment/Assessment	30 marks
4	Mid-Semester Test	40 marks
5	Attendance in class	10 marks
6	Semester End Examination	60 marks

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

MODULE 1: Introduction of Patent Law

- 1.1. Meaning and significance of Patents
- 1.2. Historical Overview of Patent law in India
- 1.3. Product and Process Patents
- 1.4. Patentability Criteria
- 1.5. Exclusions from Patentability
- 1.6. Application for Patent
- 1.7. Exclusive Rights of Patent Holders
- 1.8. Infringement and Remedies

MODULE II: Protection of Plant Varieties and Farmers' Rights

- 2.1. Overview of Plant Variety Protection – significance and scope
- 2.2. Essential features of the Protection of Plant Varieties and Farmers' Rights Act, 2001
- 2.3. Registration of plant varieties and essentially derived varieties, duration and effect of registration
- 2.4. Rights of Breeders and Farmers
- 2.5. Access and Benefit Sharing
- 2.6. Infringement and Remedies

MODULE III: Traditional Knowledge and Traditional Cultural Expressions

- 3.1. Meaning of Traditional Knowledge & Traditional Cultural Expressions
- 3.2. Role of Indigenous and Local Communities - Benefit Sharing
- 3.3. Protection Mechanism of TK & TCEs – Overview of:
 - 3.1.1. WIPO Inter-Governmental Committee on Intellectual Property and

- Genetic Resources, Traditional Knowledge, and Folklore (IGC);
- 3.1.2. UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (2003);
- 3.1.3. Traditional Knowledge Digital Library (TKDL)

MODULE IV: Biodiversity

- 4.1. Outline of the Biological Diversity Act, 2002 – key definitions, objective and scope
- 4.2. Conservation and Sustainable Use of Biodiversity – overview of:
- 4.2.1. CBD (Convention on Biological Diversity)
- 4.2.2. Access and Benefit Sharing (ABS) mechanisms
- 4.3. Functions and Powers of National Biodiversity Authority, State Biodiversity Board, Biodiversity Management Committees
- 4.4. Interface between Biodiversity and Patents
- 4.5. Case-studies on Bio-piracy (Neem, Turmeric and Basmati)

MODULE V: Layout Design of Integrated Circuits

- 5.1 Overview of Semiconductor Integrated Circuits Layout Design Act, 2000
- 5.2 Registration process and rights of the layout design owner
- 5.3 Infringement
- 5.4 Emerging Issues and Challenges:
- 5.4.1. Interface with Patent law
- 5.4.2. International perspectives on layout design protection

6. PRESCRIBED READINGS

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

Books

1. Law relating to Intellectual Property Rights by V.K. Ahuja
2. Indian Patent Law and Practice by Kalyan C. Kankanala
3. Patents and Patent Law in India by Prabuddha Ganguli
4. Indian Patent Law by P. Narayanan
5. Farmer's Rights under Intellectual Property Law by Digvijay Singh
6. Law of Plant Varieties Protection by Elizabeth Verkey
7. Protection of Plant Varieties and Farmers's Rights: law, Practice and Procedure by R.R. Hanchinal & R. Ganesh
8. Biodiversity, Biotechnology and Traditional Knowledge: Understanding Intellectual

Property Rights by Aravind Kumar & Govind Das (eds.)

9. Intellectual Property, Biodiversity, and Sustainable Development: Resolving the difficult issues by Martin Khor
10. Traditional Cultural Expressions and the Law in India by Pinaki P Baruah and Debasis Poddar
11. Legal Protection for Traditional Knowledge: Towards A New Law for Indigenous Intellectual Property by Anindya Bhukta
12. Modern Semiconductor Devices for Integrated Circuits by Chemming Calvin Hu
13. Intellectual Property for Integrated Circuits by D.T.B. Yoke

Further Readings

1. Patent Practice in India: A Practical Guide by Chaitanya Prasad
2. Sui Generis Systems for Plant Variety Protection: Options under TRIPS - A Discussion Paper by Biswajit Dhar
3. Inter- Governmental Committee on Traditional Knowledge, Traditional Cultural Expression and Genetic Resources, available at: <https://www.wipo.int/tk/en/igc/>
4. Convention on Biological Diversity, 1992 and International Treaty on Plant Genetic Resources for Food and Agriculture, 2002
5. Semiconductor Integrated Circuits Layout Design Act, 2000 and Rules 2001