



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

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

DETAILS OF COURSE OFFERED

ODD SEMESTER (IX) – ACADEMIC YEAR: 2023-2024

SL. No	COURSE CODE	COURSE TITLE	L	T	P	CR	CH
1	BL 903.10 OP I	PATENT, TRADE SECRET AND TECHNOLOGY TRANSFER	4	1		4	5 CLASSES PER WEEK

- A. CODE AND TITLE OF THE COURSE: BL903.10, PATENT, TRADE SECRET AND TECHNOLOGY TRANSFER (TAUGHT PAPER)
- B. COURSE CREDIT: 4 (TOTAL MARKS : 200)
- C. MEDIUM OF INSTRUCTION: ENGLISH
- D. COURSE COMPILED BY: MR. MANASH BARMAN ADJUNCT FACULTY, NLUJAA
- E. COURSE INSTRUCTOR: MR. MANASH BARMAN ADJUNCT FACULTY, NLUJAA

1. COURSE OBJECTIVES

- This course aims to equip students with a comprehensive understanding of Intellectual Property Law (IPR) particularly Patent Law & Practice and Trade Secret.
- The course intends to acquaint the students with the legal concepts and understanding of the above mentioned aspects of IPR.
- Students will delve into the legal intricacies of the practice. By the end of the course, students will be well-prepared to apply their knowledge in real-world.

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.
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- 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 understand and apply the legal as well as practical relevance with regard to Patent Law & Practice and Trade Secret.

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 I: Introduction to Patent Law

- 1.1. Meaning, Concept and Scope of Patents
- 1.2. Objects of Patent System – Encouraging Inventions and Local Working of Patents
- 1.3. The Patents Act, 1970: An Overview
- 1.4. Impact of TRIPS Agreement on the Patents Act, 1970

MODULE II: Criteria for Patent

- 2.1. Patentable Subject Matter:
 - 2.1.1. Novelty
 - 2.1.2. Inventive Step.
 - 2.1.3 Industrial Applicability
- 2.2. Non Patentable Inventions

MODULE III: Licensing of Patents

- 3.1 Voluntary and Compulsory Licensing
- 3.2 Parallel Imports
- 3.3 Standard Essential Patents (SEP) and FRAND Licensing

MODULE IV: Rights of Patentee and Infringement of Patent

- 4.1 Rights of Patentees
- 4.2 Limits to the Grants of Patents
- 4.3 Jurisdiction

4.4 Defences

MODULE V: Trade Secret and Technology Transfer

5.1 Legal Framework of Trade Secret Protection in India

5.2 Subject Matter of Trade Secret Protection

5.3 Trade Secret Licenses

5.4 International System of Trade Secret Protection

5.5 Importance of Technology Transfer

5.6 General Principles of Technology Transfer

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. Intellectual Property Law and Practise by Elizabeth Verkey
3. Intellectual Property Law by P. Narayanan
4. Law relating to Intellectual Property Rights by M.K. Bhandari
5. Legal Research and Writing by N.R. Madhava Menon
6. Intellectual Property Rights: A Handbook for Lawyers by Justice Prabha Sridevan
7. Intellectual Property: The Indian and Global Context by Prabuddha Ganguli and Amit Gupta
8. Intellectual Property Rights: Indian and International Practices by G.C. Srivastava
9. Intellectual Property Rights: Text and Cases by Feroz Ali
10. Intellectual Property Rights: Indian Perspective by Aditya Narayan
11. Emerging Trends in Intellectual Property: Challenges and Opportunities edited by S. Sridhar

Further Readings

1. Indian Patent Act and Rules: Commentary by R.C. Sobti and V.K. Ahuja
2. Intellectual Property Rights: Indian Perspective by Aditya Narayan