



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

**Programme:**

**Practical Approach towards Trademark**

**Details of Course offered**

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

Sl. No	Course Code	Course Title	L	T	P	CR	CH
1.	OP 207	Practical Approach towards Trademark	2	0	0	2	

- a. **Code and Title of the Course:** Practical Approach towards Trademark
- 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 Trademark (TM) 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 TM 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: Concept and Principles of Trademark (7 Classes)**

Introduction to Trademark, Kinds of Trademark, Exclusive rights of a trademark owner, Distinction between a collective mark and a certification mark, Trade-dress protection, Overview of Trademarks Act, 1999.

### **Module 2: Trademark Registration and post filing procedures (7 Classes)**

Filing of Application in the Trademark Registry, Examination of Applications filed for Registration of Trademarks, Post Examination Disposal of Applications Filed for Registration of Trademarks, Trademark Searching, Trademark agent,

Trademark attorney, Refusal, Opposition and rectification of trademark application, Licenses and Assignment of trademark.

**Module 3: Infringement and Remedies** (7 Classes)

Infringement and Passing off, Concept of Deceptive Similarity, Stay of proceedings in an Infringement suit for Trademark, Trans-border reputation of Trademarks, Selection of trademark and Domain Name, Unfair trade practice.

**Module 4: International Law and Policies** (7 Classes)

Trademark protection under WIPO, Well-known marks and its protection under the Paris Convention and the TRIPS Agreement, Madrid Agreement.

**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. Intellectual Property Law and Practise by Elizabeth Verkey
3. Law relating to Intellectual Property Rights by M.K. Bhandari
4. Law Relating to Intellectual Property by B. L. Wadehra
5. Law of Trademarks and Passing Off by P. Narayana
6. Trademarks and Infringement by A.N. Vavili
7. Trademarks Concepts and Contexts by A.V. Narsimha Rao