



National Law University and Judicial Academy, Assam

Programme:

LL.M.

Details of Course offered

Even Semester – Academic Year 2023-2024

Sl. No	Course Code	Course Title	L	T	P	CR	CH
1.	2.2 IP OP III	Copyright Laws and New Challenges	Taught Paper	-	-	02	02 classes per week

** L- Lecture; T- Tutorial; P- Project; CR- Credit; CH- Credit Hour

- a. Code and Title of the Course:** 2.2 IP OP III, Copyright Laws and New Challenges
- b. Course Credit:** 4 (Total Marks 100)
- c. Medium of Instruction:** English
- d. Course Compiled by:** Dr. Sharmistha Baruah, Research Officer, DPIIT-IPR Chair and Dr. Thywill Susngi, Guest Faculty of Law, IPR
- e. Course Instructor:** Dr. Thywill Susngi, Guest Faculty of Law, IPR

f. Course Objectives:

The main objective of the course are as follows:

- To understand the foundational principles of copyright law and the impact of digital technologies on traditional copyright paradigms
- To evaluate the role of fair use/fair dealing in balancing the rights of creators and explore international copyright frameworks and their implications for global content distribution.
- To examine emerging copyright issues such as artificial intelligence, 3D printing
- To develop critical thinking and problem-solving skill

g. Teaching methodology

- Lecture-cum-discussion method
- Interactive classroom teaching with the aid of practical approach for value-based learning
- Article based discussion
- Case study and analysis of landmark and latest case laws
- Debate oriented and negotiation rounds on critical issues

h. Course Learning Outcome

By the end of the course, the students will:

- Attain a robust comprehension of the core tenets governing copyright law, encompassing its scope of protection, duration, and the rights accorded to both copyright proprietors and users.
- Achieve a comprehensive understanding of copyright law, including analysis of treaties like the Berne Convention and the TRIPS Agreement, and assess their implications on the global landscape of copyright protection and enforcement.
- Gain insights into the contemporary dilemmas posed by digital copyright, including digital piracy, file-sharing, and the challenges inherent in enforcing copyright in the online domain.

i. Course Evaluation Method

Students will be assessed through end-semester examination and no exemption is allowed in order to complete the course successfully.

End semester exam: 100 marks

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

Module 1: Origin and Development of Copyright Law

1.1 Historical Development of Copyright Law

1.2 Principles pertaining to Copyright:

1.2.1. Idea-Expression Dichotomy Doctrine

1.2.2. Sweat of the Brow principle

1.2.3. Modicum of Creativity principle

1.2.4. Doctrine of Merger (applicable in India)

1.3 International treaties and conventions on Copyright:

1.3.1. The Berne Convention and its Revisions

1.3.2. The WIPO Copyright Treaty 1996

1.3.3. The Universal Copyright Convention and its Revision

1.3.4. The Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled, 2013

Module 2: Overview of Copyright Law

2.1. Works protected under Copyright

2.2. Ownership of Copyrighted Works

2.3. Registration of Copyright

2.4. Rights of Authors

2.5. Neighbouring/Related Rights

2.6. Transfer of Copyright:

2.6.1. Assignment

2.6.2. Licensing

2.7. Collective Management of Copyrights and Related Rights

Module 3: Infringement and Permitted Acts in relation to Copyright

3.1. Infringement of Copyright

3.2. Statutory Exceptions (Permitted Uses)

3.3. Fair Dealing

3.4. Remedies for Infringement

Module 4: Emerging Issues

4.1. Copyright Challenges in Cyberspace:

4.2. Impact of AI- generated content on copyrighted works

- 4.3. Interface between Traditional Cultural Expressions (Folklores, Folkdances, Folksongs, Folk Art etc.) and Copyright Act
- 4.4. Creative Commons (CC) Licenses
- 4.5. Copyright in Registered Designs

Prescribed Readings

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

1. Law Relating to Intellectual Property Rights by Prof. Dr. V.K. Ahuja
2. Law of Copyright and Neighbouring Rights National and International Perspectives by Prof. Dr. V.K Ahuja
3. Copyright Protection Current Indian & International Perspective by T. Vidya Kumari
4. Copyright User Rights Contract and the Erosion of Property by Pascale Chapdelaine
5. Law of copyright Comparative Perspective by Alka Chawla
6. Digital Copyright Infringement Issues edited by Audhi Narayana Vavili
7. Patry on Copyright by William F. Patry, West south Asian Edition
8. World Copyright Law by J.A.L. Sterling
9. Copyright law in the digital world: Challenges and opportunities by Sinha
10. Copyright Perspectives: Past, Present and Prospect by Fitzgerald Brian