



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	805 IP SP III	BIO DIVERSITY PROTECTION AND IPR	4	1		4	

**A. CODE AND TITLE OF THE COURSE: 805 IP SP III , BIO DIVERSITY
PROTECTION AND IPR**

B. COURSE CREDIT: 4 . (TOTAL MARKS 200)

C. MEDIUM OF INSTRUCTION: ENGLISH

D. COURSE COMPILED BY: PARTHA PRATIM MEDHI

E. COURSE INSTRUCTOR: PARTHA PRATIM MEDHI

1. COURSE OBJECTIVES

Biological diversity is the hallmark of life on earth. It is very backbone of sustainable development. The current Intellectual Property Rights (IPR) regime is encouraging commercialization of seed development, monoculture, protection of new plant varieties, microorganisms, and genetically modified organisms. As a consequence, our rich biogenetic diversity is being eroded irreversibly. We must find out a path to make an alternative approach that will bring a balance in between formal Intellectual Property (IP) system and sustainable aspects of biodiversity. This paper seeks to provide insight into the expanding scope of Biodiversity Protection and IPR, along with the inevitable challenges it brings from a worldwide lens on the matter

2. TEACHING METHODOLOGY

Collegial presentation

Interactive pedagogical techniques

Case study method

Articles based discussions

Debate oriented and negotiation rounds on critical environmental issues

Legislative and case analysis of Landmark and latest legal instruments and case laws respectively

Documentary screening and open house discussions

Surprise tests on fortnight /weekly basis

3. COURSE OUTCOMES

- The students after the completion of this course are expected to have fundamental knowledge on Bio-Diversity Protection and IPR
- They shall be capable of knowing the core issues of Bio Diversity Protection and IPR.
- They will be equipped with interest to take up Intellectual Property Law a subject at honours levels, Masters Level and PhD level.

4. COURSE EVALUATION METHOD

The course evaluation is divided into:

Internal Assessment: 70% (140 Marks)

External Assessment: 30% (60 Marks)

Sl. No.	Internal Assessment	
1.	Assignments (Written/ Presentation Mode)	40 Marks
2.	Seminar/Group Discussion	20 Marks
3.	Internal Examinations	70 Marks
4.	Attendance	10 Marks
5.	Semester End Examination	60 Marks

5. DETAILED STRUCTURE OF THE COURSE (SPECIFYING COURSE

MODULE I

History of Environment Conservation, Biodiversity and its importance, Maintaining Biodiversity, Property Rights and Biological Resources, Impact of IPR on Biodiversity

MODULE II

Common Heritage of Mankind, Convention on Biological Diversity, Cartagena Protocol on Bio Safety, Nagoya Protocol on Access and Benefits Sharing, TRIPS and Biological Diversity

MODULE III

Biological Diversity Act, 2002, Key Definitions, Benefit Claimers, Regulation of Access to Biological Diversity, national Biodiversity Authority, State Biodiversity Board, Bio-Diversity Heritage sites, Offenses and Penalties

MODULE IV

Bio Diversity Act interface with Patent, Biological Diversity Act, 2002 And Patenting of Biological Inventions In India , conflict between Indian Patents Act and Biological Diversity Act, 2002, Recent changes in Indian Patent office Practice with respect to Biological resources.

6. PRESCRIBED READINGS

Books:

a. Politics of IPR and Biodiversity Associated Traditional Knowledge – Paul

Salvin (2015), Lambert Academic Publishing

b. Intellectual Property Rights Trade and Biodiversity - Graham Dutifield (3rd ed.

2000), World Conservation Union

Journal Articles:

- a. Burhenne-Guilmin, Françoise, and Casey-Lefkowitz, Susan, "The Convention on Biological Diversity: A Hard Won Global Achievement", pp. 43-59 in Handl, ed., *Yearbook of International Environmental Law*, Vol 3, 1992, (Graham and Trotman, 1993)
 - b. Svarstad, Hanne, "National sovereignty and genetic resources", pp. 45-65 in Sánchez and Juma, eds., *Biodiplomacy: Genetic Resources and International Relations*, (African Centre for Technology Studies, 1994).
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