



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

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

DETAILS OF COURSE OFFERED

ODD SEMESTER (VII) – ACADEMIC YEAR:

SL. NO	COURSE CODE	COURSE TITLE	L	T/P	CR	CH
1	705 IPR SP I	PATENT DRAFTING & SPECIALIZATION DRAFTING	4 PER WEEK	1 PER WEEK	4	

- A. CODE AND TITLE OF THE COURSE: 705 IPR SP I ,PATENT DRAFTING & SPECIALIZATION DRAFTING**
- 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

Most of what appears in a patent application and ultimately in an issued patent does not directly define the exclusive right that has been awarded by the federal government. The right to exclude granted to the patent owner is limited to whatever is defined in the patent claims. It is, of course, perfectly true to observe that the rest of the patent application or issued patent provides critical context, understanding and definition relating to the claimed invention, but at the end of the day the question of infringement asks whether one or more of your patent claims are being infringed. For that reason it is not enough to merely show or mention aspects of the invention in the drawings or specification, but rather you need to have patent claims that appropriately cover the invention. The art of patent claim drafting is an undeniably difficult art to master. It is, however, essential for those in the patent space to both appreciate, understand and master. This paper seeks to provide insight into the expanding scope of Patent Drafting & Specialization Drafting, 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 the Patent Drafting & Specialization Drafting
- They shall be capable of knowing the core issues of Patent Drafting & Specialization Drafting
- They will be equipped with interest to take up Intellectual Property Law as a subject at honours levels, Masters Level and PhD level.

4. COURSE EVALUATION METHOD

The course shall be assessed for 200 marks. The Evaluation scheme would be as follows:

Internal assessment: 70% (140 marks)

External assessment: 30% (60 marks)

Sl. No.	Internal Assessment	
1	2 Assignments	2 x 20 marks = 40 marks
2	Seminar/Group Discussion	20 marks
3	Class Test (Twice in a Semester)	2 x 35 marks = 70 marks
4	Attendance in Class	10 marks
5	Semester End Examination	60 marks

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

MODULE I

Introduction to Patent Drafting, Key definitions, Filing of Patent Applications, Publications of Applications

MODULE II

Indian Patent Office, Indian international Preliminary Examination Authority, Divisional Application, Patent of Addition: Section 56: Validity of patents of addition, Convention Application, International Application and Patent Cooperation Treaty, National Phase Application: PCT Patent application in India

MODULE III

Examination of Grant, Opposition Proceedings, Post Grant Procedure, Appeals, Revocation of Patent, Application, Rejection and Grant of Patents.

MODULE IV

Use of Inventions for purposes of Government, Acquisition of Inventions and Patents by the Central Government, Patent Agents, Offences and Penalties

6. PRESCRIBED READINGS

BOOKS

(a) Patent Drafting & Specification Writing - S.R Myneni (2019), New Era Law Publication.

b) How to Patent an Idea in India - Karhad Prasad (2018), Self-Published

Journal Articles

1. Reichman, J. H., & Dreyfuss, R. C. (2007). Harmonization without consensus: critical reflections on drafting a substantive patent law treaty. *DUke LJ*, 57, 85.
2. Shobe, J. (2014). Intertemporal statutory interpretation and the evolution of legislative drafting. *Colum. L. Rev.*, 114, 807.
3. JOHNSTON, G. B. Dialectics of Drafting: The Social Differentiation of Mechanical and Architectural Drawing in the Early Twentieth Century.
4. Meier, J., & Ridderbusch, O. (Eds.). (2019). *Antibody Patenting: A Practitioner's Guide to Drafting, Prosecution and Enforcement*. Kluwer Law International BV.
5. Bausch, T. (2009). International IP Strategy and Patent Attorneys. *Journal of Intellectual Property Association of Japan*, 6, 4-10.