

MADHYA PRADESH BHOJ(OPEN) UNIVERSITY BHOPAL

PG DIPLOMA IN INTELLECTUAL PROPERTY RIGHTS

SYLLABUS

MAX-100
TERMEND-70
ASSIANMENT-30

PAPER -1:- INTRODUCTION TO INTELECTUAL PROPERTY RIGHTS.

UNIT-1:-Concepts of Property –

What is Property? - Kinds of Property - What is Intellectual property? -Distinguish between property and Intellectual Property Rights - Kinds of Intellectual Property Rights.

UNIT-2:-Justifications for Intellectual Property Rights –

Conventions and Treaties relating to Intellectual Property Rights Paris convention-Berne convention-Patent Cooperation Treaty - WIPO, GATTs and WTO 1944& 1994.

UNIT-3:-TRIPS in WTO - Treaty of all Treaties.

UNIT-4:-New Developments in Intellectual Property Rights - International Intellectual Property Rights.

UNIT-5:-Domain Name - Cyber Crime and Intellectual Property Rights.

BOOKS FOR REFERENCE

1. Intellectual property rights by P.S. Narayanan
2. Papers presented in a seminar on Intellectual property Rights

PAPER -2:- LAW OF PATENTS.

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UNIT-1:-Introduction to Patents-

Evolution of patent system-Criteria of Patentability-New-Inventive step-Non obvious-Industrial Application-Types of Patent-Process-Product-Traditional Knowledge-Anticipation -Exception-Inventions not patentable.

UNIT-2:-HOW TO OBTAIN A PATENT-

Application for patents-Drafting of specification-Provisional specification-Complete specification-Examinations of Patents-Provisions of secrecy of certain Inventions-Nuclear Inventions.

UNIT-3:-Office of the Controller of Patent-

Powers of Controller of Patents-Register of patent-Grant of patents and Patentee's rights. Conferred thereby-Patent agent and his powers-Opposition Proceedings-Revocation, Surrender, Rectification of Patent-Compulsory License and Government Use-Licenses of Patent.

UNIT-4:-Infringement of Patent-

Jurisdiction-Infringement Proceedings-Shifting of Burden of Proof-Defences-Groundless Threat-Appellate Board.

UNIT-5:-MISCELLANEOUS-

Offences and Penalties-Remedies-Civil Remedies-Criminal Remedies - Administrative Remedies.

BOOKS FOR REFERENCE

1. Intellectual Property Manual by Avinash Shivade
2. Commentary on Intellectual Laws by Rama Sarma
3. Papers presented in Seminars for Intellectual Property Rights held at Chennai
4. Intellectual Property Rights by P.S.Narayanan

PAPER -3:- CONCEPTS OF COPYRIGHT

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UNIT-1:-Various enactments passed in the year 1914, 1957 And 1999 – Universal Copyright conventions and its influence in Indian Law. Objective of Copyright.

UNIT-2:-Definition of Copyright - Scope of Copyright - Subject Mater of Copyright covered under the Act and Regulation - Publications -Non-publication.

UNIT-3:-Registration of Copyright - Right and duration of the Owner in different fields – Assignments and Transmission of Copyright - License of Copyright – International Copyright

UNIT-4:-Office of the Registrar of Copyright - Procedures for Registration - Register of Copyright - Special Provisions regarding designs registered under Designs Act 2000 - Registration of Copyright Societies - Infringement of Copyright – Factors involved in determining Infringement`

UNIT-5:-Exemption provided under the Act - Comparative Analysis with similar Foreign Legislations - Appeals - Civil Remedies - Criminal Remedies –Miscellaneous - Administrative Remedies - Offences and Penalties

REFERENCES :

1. Copyright Act by P.R. Narayanan.
2. Bare Act of Copyright Act.
3. Book written by Subbaram.
4. Paper materials presented at a seminar.

PAPER -4:- LAW OF TRADEMARKS AND LAW OF GEOGRAPHICAL

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UNIT-1:-Trade Mark Registration in India –

Objectives of Trade Mark - Definition of Trade Mark - Concepts of Trade Description - False Trade Descriptions - Position of Trade Mark in respect of Goods and Services under New Act - Buyers Beware - Objectives of Geographical Indications goods - Definition of Geographical Indications goods - Registrations and Classification of Goods for Geographical Indications of goods.

UNIT-2:-Acquisition of Trade Mark –

Kinds of Marks that are Registrable - Application of Trade Mark - Advertisement of Mark - Opposition of Trade Mark - Deceptively Similar

UNIT-3:-Collective Mark –

Distinction of Trade Mark from Patent, Design and Copyright - Service Mark - Well- know Mark - Associated Trade Mark - Certification of Trade Mark - Honest and Concurrent Use - Classifications of Goods and Services - Textile Goods

UNIT-4:-Functions of Registration Authorities –

Registrar of Trade Mark - Power of Registrar - Effect of Registration - Jurisdictions - Appellation of Origin

UNIT-5:-Infringements and Passing Off of Trade Mark –

Assignments and Transmission - Factors to be considered for injunctions by Courts - Remedies for Infringement and Passing off Trade Mark - Civil Remedies - Criminal Remedies - Administrative Remedies - Injunctions - Registrar Powers - Infringements - Case Laws referred - Basmati Rice Case - Neem Case - Turmeric Case

BOOK FOR REFERENCES

1. Law of trade marks by Subbaram
2. Intellectual property law in India by P.S. Narayanan
3. Geographical Indication Act 2000

PAPER -5:- TRADE SECRETS INDUSTRIAL ACT

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UNIT-1:-Concepts of Industrial Design –

Essential Functions of Industrial Design - Registration of Industrial Design - Objection of Industrial Design - Violation of Copyright in Design - Infringements - Remedies

UNIT-2:-Concepts of Semiconductor Integrated Circuits –

Essential Functions of Semiconductor Integrated Circuits - Registrations of Semiconductor Integrated Circuits - Infringements - Remedies

UNIT-3:-Meaning of Trade Secrets and Confidential Information –

Definitions of Trade Secrets - Violations of Trade Secrets - Right to Information Act (Note)

UNIT-4:-The Protection of Plant Varieties and Farmers Rights Act 2001 –

Concepts of the Act - Definitions in the Act - Registrable varieties - Meaning of Seeds under the Act - Verifications and procedure for registration.

UNIT-5:-Meaning of Farmer's right –

National Genefund and Compulsory License - Infringements - Offences, Penalties - Remedies

REFERENCES :

1. Bare Act for Semiconductor Layout Design Act
2. Bare Act for Plant Varieties and Farmers Right Act
3. Design Act by P.R. Narayanan
4. Trade Secrets are taken from the paper publication.