

NIMS UNIVERSITY, JAIPUR



SYLLABUS

PG Diploma in Intellectual Property Rights

**POST GRADUATE DIPLOMA IN INTELLECTUAL PROPERTY
RIGHTS**

(32 Credits)- (Duration: 1 Year)

TEACHING AND EXAMINATION SCHEME

S.No	Subject Title	Theory
1	General Overview & Basic Principles of Intellectual Property Rights	100
2	Industrial Property	100
3	Ownership and Enforcement of Intellectual Property Rights	100
4	Information Technology Act related to Intellectual Property Right	100
5	Biotechnology and Intellectual Property Right	100
	TOTAL	500

1st Year

Paper I: General Overview & Basic Principles of Intellectual Property Rights

Focus of this paper would be on the following areas:

1. Philosophical Aspects of Intellectual Property Laws
2. Meaning and Forms of Intellectual Property Rights
3. International Background of Intellectual Property
4. World Court
5. Basic Principles of Patent Law
6. Patent Application Procedure
7. Drafting of a Patent Specification
8. Understanding Copyright Law
9. Basic Principles of Trade Mark
10. Basic Principles of Design Rights

Paper II: Industrial Property

The thrust of study of this paper would be on the following areas:

1. Patents-Objectives, Rights, Assignments, Defences in case of Infringement
2. Industrial Designs- Objectives , Rights , Assignments , Infringements, Defences of Design Infringement
3. Registration of lay-out designs
4. Intergraded Circuits
5. Plant Varieties-Objectives, Justification, International Position, Plant Varieties Protection in India.

Paper III: Ownership and Enforcement of Intellectual Property Rights

Focus of study will be on the following areas:

1. Copyright-Objectives, Rights, Transfer of copyright, work of employment Infringement, Defences for infringement
2. Trademarks-Objectives, Rights, Protection of Goodwill, infringement, Passing off, Defences
3. Enforcement of Intellectual Property Rights-Civil Remedies, Criminal Remedies, Border Security measures.
4. WTO and Intellectual Property Rights
5. Practical Aspects of Licensing-Benefits , Determinative factors , important clauses , licensing clauses

Paper IV: Information Technology Act related to Intellectual Property Right

This study will be centered round the following topics:

1. Computer Software and Intellectual Property-Objectives, Copyright Protection, Reproducing, Defences, Patent Protection
2. The Information Technology Act, 2000-Defination, New tool, Certifying Authority, Qualification and work of certifying authority, subscriber and duties of subscribers.
3. Domain Name Protection-Objectives, Domain name and Intellectual Property, Registration of Domain names, disputes under Intellectual Property Rights, Jurisdictional Issues, International Perspective
4. DataBase and Data Protection-Objective, Need for protection, Applicability of IPRs, Extra Territorial Applicability
5. Offences and Penalties, Cyber Crimes, Violation, Damages and penalties, Cyber Regulation Advisory Committee.

Paper V: Biotechnology and Intellectual Property Right

Focus of study will be on the following areas:

1. Biotechnology and the law-Objectives, Evolution, Basic Structure of Gene Techniques, Applications, Commercial Potential of biotech Inventions, Rationale for Intellectual Property Protection.
2. Patenting Biotechnology Inventions-Objective, Concept of Novelty, Concept of Inventive step, Microorganism, Moral Issues in Patenting Biotechnological inventions.
3. Protection of Geographical Indications-Objectives, Justification, International Position, Multilateral Treaties, National Level, Indian Position.
4. National Biodiversity Authority, State Bio-diversity Board
5. Protection of Traditional Knowledge-Objective, Concept of Traditional Knowledge, Holders, Issues concerning, Bio-Prospecting and bio-Piracy, Alternative ways, Protect ability, need for a sui-generis regime, Traditional Knowledge on the International Arena at WTO, at National Level, Traditional knowledge Digital Library.

Reference Books:

1. Saxena, R.B-Trade related issues of Intellectual Property Rights and the Indian Patents

Act-A negotiating strategy

2. Ravishankar A. and Sunil Archak-Intellectual property rights and agricultural technology:

Interplay and Implications for India

3. Nair and Kumar – Intellectual Property Rights