

UHS753C: INTELLECTUAL PROPERTY RIGHTS

3 Credits(3-0-0)

Course Objectives:

- 1. To recognize the importance of IP and to educate the pupils on basic concepts of Intellectual Property Rights.**
- 2. To identify the significance of practice and procedure of Patents.**
- 3. To make the students to understand the statutory provisions of different forms of IPRs in simple forms.**
- 4. To learn the procedure of obtaining Patents, Copyrights, Trade Marks & Industrial Design**
- 5. To enable the students to keep their IP rights alive.**

UNIT-I

Introduction to IPRS:

L- 10 Hours

Importance of human creativity and its recognition and protection. Concepts of Property and Rights. History of IPRs. Different forms of IPRs. Role of IPRs in R and D.

Patents:

Meaning of Patent, Object and Value of Patent law. Advantages of Patent to the inventors. Criteria for Patentability. Software and Business Methods Patents. Govt. use of inventions, infringement of Patent and remedies for infringement. Compulsory license.

UNIT- II

Patent Drafting:L-10 Hours

Scope of invention, definitions, types of specification, descriptions, drawing, claim drafting and improvement.

Filing Requirement of patent:

Work flow chart in obtaining Patents, Forms to be submitted, assignment requirements, filing mechanism through Individual patent office and PCT route. Importance of PTC, claiming priority from either route. Request for re-examination and revocation. Term of Patent and Patent renewal.

Searching of Prior art:

Prior art- Tangible versus Intangible prior art. Search strategy: key words, structures, sequences, use operators, database for searching- free and paid, disclosed versus claimed matters.

UNIT- III

Trade-Marks:

L - 10 Hours

Meaning and functions of Trade Marks. Concept of Distinctiveness and Trade Marks registration. Trade Marks- Challenges in Non- Conventional Marks. Infringement of Trade Marks and remedies for infringement. Domain Names disputes and Well-Known Marks, Distinction between Trade names & Trade marks.

Industrial Design:

Definition of a design. Concept of Novelty and Originality; Inclusive and Exclusive Designs; Functions of Designs. Industrial Design registration in India. Duplicity of registration, Infringement of Design and remedies for infringement.

UNIT- IV

Copyright:

L- 10 Hours

Introduction. Nature of Copyright, Subject-matter, protection requirement in Copyright Law, Neighboring/Related Rights. Economic and Moral Rights of Authors. Copyright in the Digital Context. An overview of Copyright protection in India. Transfer of Copyright. Infringement of Copyright, Copyright- fair dealing and remedies. Comparison with Patent and Copyright.

Emerging Copyright works in which copy subsists:

Snippets tax and Online Streaming Platforms, Sound related technology, Blockchain technology

Confidential Information and Trade Secrets:

Introduction, Conditions of protection. Essentials for an action for breach of confidence, distinction between Confidential Information and General Information. Data protection laws in India: Cyber-Crimes under the IT Act. 2000. **Total: L- 40 Hours**

Text Books:

01. P. Naryan, "Intellectual Property Law", 3rd Ed, Eastern Law House, 2007.

02. Dr. S.R. Myneni, "Law of Intellectual Property", 9th Ed, Asia Law House, 2019.

References Books:

01. Dr.G.B Reddy,“Intellectual Property Rights and Law”, Gogia Law Agency.Hydrabad,Reprint edition2020
02. N.R. Subbaram.S.Viswanathan,“Hand book Indian Patent Law and, Practice”Printers and publishers Pvt,Ltd,2008.
03. Cornish,“Intellectual Property Rights”, Universal publications.
- 04.Dr.B.L.Wadehra,“Law Relating to Intellectual Property” 5thedition,Universal Law publishing Co, Dehli

Course Outcomes:

On successful completion of this course the student should be able to:

CO 1: Distinguish and Explain various forms of IPRs.

CO 2: Identify criteria's to fit one's own intellectual work in particular form of IPRs.

CO 3: Apply statutory provisions to protect particular form of IPRs.

CO 4: Analyse rights and responsibilities of holder of Patent, Copyright, Trademark, Industrial Designetc.

CO 5: Identify procedure to protect different forms of IPRs national and international level.

CO 6: Develop skill of making search using modern tools and technics.

Scheme of Examination

CIE & SEE Assessment for IPR subject

- Continuous Internal Evaluation (CIE) = 50 Marks
- 45 Marks Three CIE tests and 5 Marks Assignment/Quiz/Course project etc.,
- Each CIE test is conducted for 30 marks and 1 Hour duration, totaling to 90 Marks and later scaled down to 45 Marks.

CIE Test Question Paper pattern

- CIE first and second test syllabus covered for the examination is one and half units; CIE third test syllabus for the examination is one unit.
- Max. Marks: 30 Marks (later scaled down to 15 Marks)

Note: Answer any two full questions.

Q No	Question	Marks
01	a)	15 Marks
	b)	
	c)	
02	a)	15 Marks
	b)	
	c)	
03	a)	15 Marks
	b)	
	c)	
	Total Marks	30 Marks
	30 marks scaled down to 15 Marks	

- The remaining 05 marks is awarded based on Assignment/Quiz/Case Study/ Course Project/Term Paper/ Field Work
- SEE is carried out through an examination of 3 Hours duration and is evaluated for 100 Marks and later scaled down to 50 Marks.

Pattern of question paper

1. Total of **Eight** Questions with Two from each unit to be set uniformly covering the entire syllabus.
2. Each question should not have more than **Four** subdivisions.
3. Any **Five** Full questions are to be answered choosing at least One from each unit

Semester End Examination Model Question Paper

Intellectual Property Rights

Duration: 3 Hours

Max. Marks: 100

NOTE: Answer any **FIVE** full questions selecting at least **ONE** from each unit.

Q.No		Question	Marks	BLL	CO
UNIT-I					
1.	a)				
	b)				
	c)				
	d)				
UNIT-II					
2.	a)				
	b)				
	c)				
	d)				
UNIT-III					
3.	a)				
	b)				
	c)				
	d)				
UNIT-IV					
4.	a)				
	b)				
	c)				
	d)				
UNIT-V					
5.	a)				
	b)				
	c)				
	d)				
UNIT-VI					
6.	a)				
	b)				
	c)				
	d)				
UNIT-VII					
7.	a)				
	b)				
	c)				
	d)				
UNIT-VIII					
8.	a)				
	b)				
	c)				
	d)				