

Intellectual Property Rights

Course title & Code	Credits	Credit distribution of the course			Eligibility criteria	Pre-requisite of the course (if any)
		Lecture	Tutorial	Practical/ Practice		
Intellectual Property Right	4	3	1	0	Pass in XII	NIL

Learning Objectives-

The course aims to impart knowledge of intellectual property rights, IPR related issues and rationale behind IPR protection with a focus on Patent Law and Trademark Law and its role in new age business.

Learning outcomes-

After completion of the course, learners will be able to:

1. Discuss the concept of intellectual property and IP rights.
2. Describe different types of intellectual properties.
3. Discuss Indian Patent Law.
4. Comprehend patent infringement and remedies thereof.
5. Discuss the concept of trademark and its registration procedure.

Course Contents:

Unit 1: Introduction to IP Rights (10 hours)

Concepts of property and Intellectual Properties; Meaning, Types and Theories of IPR, need for protection of IPR, Importance & Benefits of IPR, Financial value of IPRs, commercial transactions in the intellectual property sphere, IPR Concerns in Cyber Space, Issue of Piracy. Different Types of Intellectual Properties - Copyrights, Trademarks, Patents, Designs, Utility, Models, Trade secrets & Geographical Indications.

Unit 2: Indian Patent Law (10 hours)

Meaning, Nature & Role of Patent, Objectives of Patenting; Duration of Patents, Conditions of Patentability, Types & Procedure of Patent Applications, Revocation of Patents, Surrender of Patents, Patent Search, Patent Agents- Qualification and Procedure of Registration.

Unit 3: Patent Infringement- Meaning and Remedies (10 hours)

Meaning & Classification; Exceptions to Infringement, Justification of Patent infringement, Compulsory Licensing, Parallel Imports, Revocation of patents, Civil and Criminal Remedies, Reliefs in Suits for Infringement, Patent Authorities, Controller General of Patents, Patent Examiners, IPAB- Intellectual Property Appellate Board)

Unit 4: Trademarks (15 hours)

Meaning & Need of Protection of Trademark, Concept of Well-Known Trademark and Permitted use, Difference from Collective Marks & Certification Mark; Trademark Search, Registration Procedure and Grounds of Refusal, Duration and Renewal of Trade Mark Registration, Infringement and exceptions to Infringement; Assignment and Transmission, Position of Unregistered Trademark. Domain Name and Cyber Squatting.

Exercises:

The learners are required to:

1. List out concerns of IPR in cyber space with contemporary examples
2. Discuss the importance of different types of intellectual properties.
3. Prepare a list of patentable and non-patentable items on the basis of conditions of patentability
4. Prepare a summary of at least five cases of patent infringement in India
5. Prepare a list of different fees charged for Trademark applications
6. Prepare a list of points which are required to be considered while adopting a Trademark.

Suggested Readings:

- Wadehra, B. L. (2011). Law Relating to Intellectual Property. Delhi: University law Publishing Co. Pvt. Ltd.
- Chakravarty, R., & Gogia, D. Chakravartys. (2014). Intellectual property law: IPR. New Delhi: Ashoka Law House.
- R. Radhakrishnan. (2018). Intellectual Property Rights: Text and Cases, Excel Books India.
- M. Venkataraman. (2015). An Introduction to Intellectual Property Rights.
- Aplin, T. & Davis, J. (2017). Intellectual Property Law: Text, Cases and Materials, Oxford University Press.
- Narayanan, P. (2022). Intellectual Property Law, Eastern Law House.
- N. Pandey & D. Khushdeep, (2014). Intellectual Property Rights, PHI Learning Pvt. Ltd.
- Ahuja, V.K. (2017). Intellectual Property Rights in India, LexisNexis.

Additional References

- Bentley, L., Sherman, B., Gangjee, D. & Johnson. P. (2022). Intellectual Property Law. Oxford University Press.
- The Patents Act, 1970 with Latest Rules and Amendments
- Trade Marks Act, 1999 with Latest Rules and Amendments Intellectual Property Laws Bare Act (2022), Govt. of India

Note: Suggested readings will be updated by the Department of Commerce and uploaded on Department's website.

Note: Examination scheme and mode shall be as prescribed by the Examination Branch, University of Delhi, from time to time.