

**Maharaja Ranjit Singh Punjab Technical University
Bathinda-151001**



FACULTY OF PHARMACY

SYLLABUS

FOR

PG DIPLOMA IN INTELLECTUAL PROPERTY RIGHTS

(1 YEAR PROGRAMME)

2023 BATCH ONWARDS

Note: (i) Copy rights are reserved.

Nobody is allowed to print it in any form.

Defaulters will be prosecuted.

(ii) Subject to change in the syllabi at any time.

Please visit the University website time to time.

**MRSPTU PG DIPLOMA IN INTELLECTUAL PROPERTY RIGHTS
SYLLABUS 2023 BATCH ONWARDS**

SCHEME

1 st Semester		Contact Hrs.			Marks			Credits
Subject Code	Subject	L	T	P	Int.	Ext	Total	
GIPRS1-101	Introduction to Intellectual Property Rights	3	1	0	40	60	100	4
GIPRS1-102	Patent Law	3	1	0	40	60	100	4
GIPRS1-103	Industrial, Layout Design Law, and Trademark Law	3	1	0	40	60	100	4
GIPRS1-104	Law of Copyright and Allied Rights	3	1	0	40	60	100	4
GIPRS1-105	Protection of Traditional Knowledge, Plant Varieties, Geographical Indications	3	0	0	40	60	100	3
GIPRS1-106	Intellectual Property Rights Practical I	0	0	2	60	40	100	1
TOTAL		15	4	2	260	340	600	20

2 nd Semester		Contact Hrs.			Marks			Credits
Subject Code	Subject	L	T	P	Int.	Ext	Total	
GIPRS1-201	Trade Secrets and Competition Law	3	0	0	40	60	100	3
GIPRS1-202	Management of IPRs, Technology Transfer/licensing	3	0	0	40	60	100	3
GIPRS1-203	Intellectual Property Rights Practical II	0	0	4	40	60	100	2
GIPRS1-204	Case studies/Technology landscape/ Dissertation/ Apprenticeship or Internship or Training in any one of the following: Patent Information centers, Patent Facilitation center, Law firms, IPR cell in academic institute or industry, Technology transfer office	0	0	24	0	200	200	12
TOTAL		6	0	28	120	380	500	20

FIRST SEMESTER

INTRODUCTION TO INTELLECTUAL PROPERTY RIGHTS

Subject code: GIPRS1-101

**L T P C
3 1 0 4**

Duration: 60 Hrs.

Course objectives: The course is designed to provide comprehensive knowledge to the students regarding the general principles of IPR, concept and theories: national and international, and emerging issues

Course outcomes: Students will be able to

- Understand the importance of intellectual property rights
- Compare various national and international IPR regime
- Learn challenges in IPR

Unit 1: (15 Hrs)

General Introduction to Intellectual Property Rights

- Theories on concept of Property i.e. Public vs. Private, Tangible vs. Intangible,
- Industrial vs. Intellectual
- Origin and Development of Intellectual Property Rights
- Meaning, Nature, Need and Forms of Intellectual Property Rights

Unit 2: (15 Hrs)

International IPR regime

- The WIPO Convention, 1967
- The TRIPS Agreement, 1994
- World Intellectual Property
- Organization (WIPO): Functions and Membership
- GATT Agreement

Unit 3: (15 Hrs)

National Dimension of IPR

- Overview of Major Intellectual Property Rights Laws in India
- Authorities: Department for Promotion of Industry and Internal Trade,
- Office of Controller General of Patents, Designs and Trademarks
- National IPR Policy 2016
- Scheme For “Building Awareness on Intellectual Property Rights (IPR)” For Micro, Small And Medium Enterprises (MSMEs) under National Manufacturing Competitiveness Program (NMCP)

Unit 4: (15 Hrs)

Emerging Issues in IPR

- Human rights
- Challenges to implementation of IPR in India
- Criticisms of intellectual property rights
- Third world criticisms
- Marxist criticisms

**MRSPTU PG DIPLOMA IN INTELLECTUAL PROPERTY RIGHTS
SYLLABUS 2023 BATCH ONWARDS**

Suggested books

- W. R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights (Sweet & Maxwell, 2003)
- V.K.Ahuja, Intellectual Property Rights in India (Lexis Nexis, Butterworths, Wadhwa, Nagpur, 2017)
- S.K. Verma, Intellectual Property Rights: A Global Vision (ILI, New Delhi, 2004)
- N.S. Gopalakrishnan and T.G. Ajitha, Principles of Intellectual Property, (Eastern Book Company, 2nd edn., 2014)

MRSPTU

PATENT LAW

Subject code: GIPRS1-102

**L T P C
3 1 0 4**

Duration: 60 Hrs.

Course objectives: The course is designed to provide comprehensive knowledge to the students regarding Indian position of the Patent Law (1970), Historical development, Procedure for granting a patent and infringement.

Course outcomes: Students will be able to

- Learn patent act and patent rights
- Understand the procedure to obtain
- Learn the functioning of patent office
- Learn methods patent infringement and its remedies

Unit 1: (10 Hrs)

Patent act

- Patent Act 1970
- Amendments of Patent Act 1999, 2000, 2002 and 2005
- Patentable subject matter, Patentability criteria, non-patentable inventions

Unit 2: (20 Hrs)

Patent rights

- Rights and obligations of patentee
- Procedure for granting a patent and obtaining patents
- Product and process patent
- Grounds for opposition
- Working of Patents, Compulsory License
- Acquisition, Surrender, Revocation, restoration
- Transfer of patent rights

Unit 3: (10 Hrs)

Office of the Controller of Patent

- Powers of Controller of Patents
- Register of patent
- Patent agent and his powers
- Compulsory License
- Government Use Licenses of Patent

Unit 4: (20 Hrs)

Infringement and Enforcement

- Jurisdiction
- Infringement proceedings
- Criteria of infringement: direct, contributory, and induced
- Modes of infringement (doctrine of colourable variation) - onus of proof
- Official machinery, controller, powers and functions
- Defenses of infringement
- Remedies for infringement and passing off: Civil remedies and criminal remedies

Suggested books

- Intellectual Property law in India by Justice P.S. Narayana
- An Introduction to Intellectual Property Rights by J.P.Mishra
- Law of Intellectual Property rights by Dr. S.R. Myneni
- An Introduction to Cyber Laws by Dr. J.P.Mishra

MRSPTU

INDUSTRIAL, LAYOUT DESIGN LAW AND TRADEMARK LAW

Subject code: GIPRS1-103

**L T P C
3 1 0 4**

Duration: 60 Hrs.

Course objectives: The course is designed to provide comprehensive knowledge to the students regarding trademarks, law related to trademark and various national and international trademarks agreements

Course outcomes: Students will be able to

- Learn the importance of various trade agreements
- Understand the meaning of trademark, need of trademark and its act
- Know the importance of enforcement & protection of trade mark

Unit 1: (15 Hrs)

Industrial designs

- Concept and origin of industrial designs
- Introduction to designs
- Evolution of designs
- Legal protection of designs
- Layout designs
- Integrated circuits
- Utility models
- Protection of Industrial designs
- The Design Act 2000
- The Semiconductor Integrated Circuits Layout Design Act, 2000 – salient features of the Act
- Layout design Appellate Board
- Registrar of Semiconductor Integrated Circuits Layout Design and his powers

Unit 2: (15 Hrs)

Concept of Industrial Designs and Layout Designs

- Subject matter of designs
- Exclusion of designs
- Novelty and originality of designs
- Rights in industrial designs: Copyright in Registered Designs, Piracy of Registered Designs and Penalty, Nature, acquisition and duration of rights
- Procedure for registration of lay-out designs
- Submission, advertisement, opposition and registration
- Duration of registration
- Infringement of Lay-out Designs
- Exemptions
- Use of Layout design
- Penalties and offences
- Remedies

Unit 3: (15 Hrs)

Trademarks

- Historical development of the concept of trademark and trademark law - National and international
- Meaning, nature and kinds of trademark
- Objectives, definition and concepts of trade mark
- False Trade Descriptions
- Position of Trade Mark in respect of Goods and Services under New Act
- Buyers Beware
- Fundamentals of protection of trademarks
- Overlap of trade marks
- International trade mark regimes
- The role and influence of the Paris Convention,
- The role and influence of the Madrid Agreement
- The role and influence of the Nice Agreement
- The role and influence of the Vienna Agreement

Unit 4: (15 Hrs)

Law related to Trademarks in India: Trademarks Act, 1999

- Registrar of Trademarks
- Statutory authorities
- Selection of a mark
- Registration procedure of trademark
- Effect of Registration Assignment and Transmission
- Grounds of refusal of registration: Absolute ground and Relative ground
- Duration, Removal & Restoration of Trade Mark
- Registered Trade Mark
- Unregistered Trade Mark
- Infringement of Trade Mark
- Different Remedies

Suggested books

- Trade Marks Act, 1999
- Bansal, Law of Trade Marks in India with introduction to Intellectual Property Laws (Institute of Constitutional and Parliamentary Studies, New Delhi, 2009)
- D.P. Mittal, Trade Marks, Passing Off & Geographical Indications of Goods: Law and Procedure (Taxmann Allied Services, New Delhi, 2002)
- K.C. Kailasam, R.Vedaraman, Law of Trade Marks Including International Registration under Madrid Protocol & Geographical Indications (Wadhwa & Co., Nagpur, 2017)

LAW OF COPYRIGHT AND ALLIED RIGHTS

Subject code: GIPRS1-104

**L T P C
3 1 0 4**

Duration: 60 Hrs.

Course objectives: The course is designed to acquaint the students with basic terminology of Copyright and protection of the rights related to it and penalties for its violations

Course outcomes: Students will be able to

- Learn various treaties associated with copyright
- Understand the fundamental of copyrights
- Learn the process of licensing a copyright
- Understand the ownership, judiciary, infringement of copyright and its remedies

Unit 1: (15 hrs)

Introduction to concept of Copyright

- Historical evolution of concept of copyright and development of copyright laws
- International treaties and conventions: Marrakesh Treaty, Berne Convention, Beijing Treaty, Rome Convention
- WIPO Copyright Treaty (WCT), WIPO Performances and Phonograms Treaty,
- Universal Copyright Convention, 1952.

Unit 2: (15 hrs)

Fundamentals of Copyright

- Copyright – Concept of Originality and Idea vs Expression dichotomy
- Subject matter of Copyright: original Literary, Drama, musical works, sound Records,
- Cinematograph films
- Copyright as an Economic, Human and Moral rights

Unit 3: (15 hrs)

Law related to Copyright and its licensing and Registration in India

- Procedure for registration: e-filing facility
- Ownership and Assignment of Copyright
- Term of Copyright, License: Voluntary/Statutory/Compulsory
- Effects of Copyright registration and its protection outside India, International
- Copyright
- Copyright Office and Appellate Board, Copyright Societies

Unit 4: (15 hrs)

Infringement of Copyright and Remedies

- Limitations and Exceptions: Fair Dealing
- Infringement and Remedies and Reliefs- Civil/Criminal/Administrative Injunction-Anton pillar
- Judiciary and Copyright
- Copyright in the Commercial world

Suggested books

- Copyright Act, 1957
- P. Narayanan, Law of Copyright and Industrial Designs (Eastern Law House Ltd., New Delhi, 2017)
- H.K. Saharay, Iyengar's Commentary on the Copyright Act (Universal Law Publishing, 2016)
- AlkaChawla, Copyright and Related Rights: National and International Perspectives (Macmillan India Ltd., Delhi, 2007)
- Padmanabhan, Intellectual Property Rights Infringement and Remedies (Lexis Nexis, 2012)

MRSPTU

**PROTECTION OF TRADITIONAL KNOWLEDGE, PLANT VARIETIES,
GEOGRAPHICAL INDICATIONS**

Subject code: GIPRS1-105

**L T P C
3 0 0 3**

Duration: 45 Hrs.

Course objectives: The course aims to equip students with a comprehensive understanding of the legal frameworks and mechanisms for safeguarding traditional knowledge, plant varieties, and biotechnological inventions. The course will also delve into the legal regimes governing plant variety protection and the role of plant patents. Furthermore, students will examine the complex landscape of biotech inventions, including patentability criteria, ethical considerations, and the interplay between biotechnology and traditional knowledge.

Course outcomes: Students will be able to

- Understand the challenges and opportunities associated with the protection of traditional knowledge, including issues of cultural heritage and intellectual property rights.
- Gain insight into the knowledge and skills required to navigate the intricacies of protecting traditional knowledge, plant varieties, and biotech inventions in a globalized and innovation-driven world.
- Develop the skills to analyze and resolve complex issues and conflicts that arise in the protection of traditional knowledge, plant varieties, and biotech inventions.

Unit 1: (10 Hrs.)

Introduction

- Meaning and Scope of traditional Knowledge
- Interface between IP and traditional Knowledge
- Need and Significance of protection
- International instruments on Traditional Knowledge
- Developments in WIPO.
- Recognition and Documentation of Traditional Knowledge
- Various databases
- Traditional Knowledge Digital Library “TKDL”
- AYUSH Systems of Medicines
- Biodiversity Register
- Biological Diversity Act, 2002
- National Biodiversity Authority
- State Biodiversity Board

Unit 2: (10 Hrs.)

Statutory Protection of Traditional knowledge and Plant Varieties

- Traditional Knowledge as Property
- Nature of Property in genetic Resources and associated traditional Knowledge
- Ownership in Traditional Knowledge: Nature and Elements of Ownership
- Exclusivity and Protection
- Benefit Sharing

- Protection of Plant Varieties and Farmer's rights act 2001
- GM Corps
- Objectives of Plant Varieties Act
- Registration of Plant Varieties
- Duration and effect of Registration
- Infringement, Offences, Remedies

Unit 3: (10 Hrs.)

Biotechnological and Pharmaceutical

- Introduction: Basic concept
- Protection of Biological Inventions
- Plant Patent Protection in India
- Biotech Patents in India
- Research and Development in Biotechnology
- NCE, Vaccine, Antibodies, GM
- Issues faced by biotech inventions under IPR laws – Budapest
- Treaty: NBA

Unit 4: (15 Hrs.)

Geographical Indications

- Objectives of Geographical Indications goods
- Evolution and Meaning of concept of geographical indications
- Geographical Indications of Goods (Registration and Protection) Act, 1999
- Difference between a geographical indication and a trademark
- Classification of goods for Geographical Indications
- Prohibited geographical indications
- Registration of geographical indications
- Lisbon agreement
- Subject matter of geographical indication
- Registration of geographical indication
- Rights related to geographical indication
- Offences and penalties

Suggested books

- The Protection Of Plant Varieties And Farmers' Rights Act, 2001
- S.R. Reddy and V.K. Reddy, Biodiversity, Traditional Knowledge and Intellectual Property Rights (Scientific Publishers, 2016)
- S Bala Ravi, "Effectiveness of Indian Sui Generis Law on Plant Variety Protection and its Potential to Attract Private Investment in Crop Improvement", Journal of Intellectual Property Right (2004)
- The Geographical Indications of goods (Registration and Protection) Act, 1999.
- Biodiversity Act 2002

INTELLECTUAL PROPERTY RIGHTS PRACTICAL I

Subject code: GIPRS1-106

L T P C

Duration: 30 Hrs.

0 0 2 1

Course objectives: The course is designed to provide comprehensive knowledge and hands-on experience and practical understanding of the processes and procedures involved in managing intellectual property rights. This includes practical knowledge of conducting patent searches, drafting patent applications, filing trademarks, and copyright registrations.

Course outcomes:

- Students will be able to apply their knowledge of intellectual property rights in practical scenarios.
- Students will have the skills to analyze and assess the value of intellectual property assets.
- Students will be able to analyze business objectives, identify potential IP assets, and create strategies for protection, commercialization, and enforcement.

Suggested practical's

- Group discussion and video module on introduction to trademark and global significance
- Hands-on workshop on conducting patent search, drafting patent application, design registration and filing trademarks
- Learning about techno-legal strategy to protect intellectual property to avoid intellectual crimes and plagiarism
- Case studies on trademark
- Hands-on workshop on industrial design registration
- Hands-on workshop on layout registration