

Third Year – Sixth Semester

COURSE-III: OPTIONAL –V: INTELLECTUAL PROPERTY RIGHTS-II

Objectives:

Intellectual Property Law has assumed a great importance in recent times as a result of the recognition that ‘knowledge is property’. The creations of the human brain as IP are required to be understood and protected. The syllabi encompassing all relevant IP legislations in India with a view to understand and adjust with changing needs of the society because creative works useful to society and law relating to innovation/creativity i.e. intellectual property is one of the fastest growing subjects all over the globe because of its significance and importance in the present era. Disseminate information on national and international IPR issues. The course is designed with a view to create IPR consciousness; and familiarize the learners about the documentation and administrative procedures relating to IPR in India. The subject Intellectual Property Law divided into two papers namely Paper – 1 and paper-II of 100 marks each.

Course contents:

UNIT-I

Indian Copyright Law: introduction and overview of copyright; History of the concept of copyright and related rights; Nature of copyright; Salient features of copyright Act; Subject matter of copyright; Literary work; Dramatic work; Musical works; Artistic works; Cinematographic films; Sound recordings; Term of copyright; Computer software and copyright protection; Author and ownership of copyright; Rights conferred by copyright; Assignment, transmission and relinquishment of copyright; Infringement of copyright; remedies against infringement of copyright.

UNIT-II

Biological Diversity Law : Introduction and overview of Biological Diversity; meaning and scope of Biological Diversity; Biological resources and traditional knowledge; Salient features of Biological Diversity Act; Biological Diversity concerns and issues; Bio piracy; Regulation of access to Biological Diversity; National Biodiversity Authority; Functions and powers of Biodiversity Authority; State Biodiversity Board; Biodiversity Management Committee and its functions.

UNIT-III

Protection of Plant Varieties and Farmers Rights Law: Legal concepts relating to the protection of plant varieties rights; Legal concepts relating to the protection of plant breeders rights; IPR in new plant varieties; Policy and objectives of protection of plant varieties and farmers rights act; Plant varieties and Farmers rights protection authority; National register of plant varieties; Procedure for registration; Rights and privileges; benefit sharing; Compensation to communities; Compulsory license; Relief against infringement; national Gene Fund.

UNIT-IV

Designs Law: Introduction and overview of Design's Law: Salient features of Designs Law; Procedure for registration; Rights conferred by registration; Copyright in registered designs; Infringement; Powers and duties and Controller; Distinction between design, trade mark, copyright & patent.

UNIT-V

International Treaties / Conventions on IPR : TRIPS Agreement; Background; Salient Features of TRIPS; trips and Indian IPR; Berne Convention; Background; Salient features of Paris Convention; Convention of Bio-Diversity; Objectives of CBD; Salient features of CBD; International IPR agreements affecting protection of plant varieties; The WTO Doha round of trade negotiations; International Treaty on Plant Genetic Resources (ITPGR).

PRESCRIBED BOOKS:

1. Narayanan – Intellectual Property Law.
2. Cornish William – Intellectual Property.

Reference Books:

1. Justice P.S.Narayan – Intellectual Property Law in India.
2. N.K.Acharya – Intellectual property Rights.
3. Das J.K – Intellectual Property Rights.
4. Ganguli – Intellectual Property Rights; Unleashed the knowledge economy.
5. Copinger & Skine James – Copyright.
6. Pal P.- Intellectual Property Rights in India.
7. Unni – Trade Mark, Design and Cyber Property Rights.
8. Elizabeth Verkey – Law of Plant Varieties Protection.

COURSE-II; OPTIONAL –V; WHITE COLLAR CRIMES (PRIVILEGED CLASS DEVIANCE)

Objectives:

This course focuses on the criminality of the privileged classes – the wielders of all forms of state and social power. The course focuses on the relation between privilege, power and deviant behavior. The traditional approaches which highlight white collar offences, socio-economic offences or crimes of powerful deal mainly deal with the deviance of the economically resourceful. The dimension of deviance associated with the bureaucracy, the new rich, religious leaders and organization, professional classes are to be addressed. In teaching this course, current developments in deviants reflected in press and media, law reports and legislative proceedings are to be focused.

Course Contents:

UNIT-1

Introduction – Concept of white collar crime – Indian approaches to socio-economic offences – forms of privileged class deviance – Official deviance (Legislators, judges and bureaucrats), professional deviance, trade union deviants, land law deviance, upper class deviance, police deviance, gender based deviance, deviance by religious leaders and organizations.

UNIT-II

Official deviance; Prevention of Corruption Act, 1988.

UNIT-III

Police and Politicians deviance; N.N.Vorha Committee Report; Lokpal and Lokayukta Institutions.

UNIT-IV

Professional deviance; Medical profession – The Lentin Commission Report; Legal profession – Opinions of Disciplinary Committee of Bar Council of India.

UNIT-V

Gender based deviance – sexual harassment; Offences against scheduled castes and scheduled tribes.

Prescribed Books:

Edwin H.Sutherland – Criminology.

Ahmad Siddique. Criminology.

Reference Books:

Upendra Baxi – The Crisis of Indian Legal system.

Upendra Baxi – Law and Poverty.

Upendra Baxi – Liberty and Corruption.

A.R.Desai – Violation of Democratic Rights in India.