



# VELS



INSTITUTE OF SCIENCE, TECHNOLOGY & ADVANCED STUDIES (VISTAS)  
(Deemed to be University Estd. u/s 3 of the UGC Act, 1956)  
PALLAVARAM - CHENNAI

ACCREDITED BY **NAAC** WITH '**A**' GRADE  
*Marching Beyond **30** Years Successfully*  
INSTITUTION WITH **UGC 12B** STATUS

**MASTER OF LAW (LL.M) in  
LAW RELATING TO INTELLECTUAL  
PROPERTY RIGHTS  
(2 year Programme)**

**Curriculum and Syllabus Regulations 2023**

(Based on Choice Based Credit System (CBCS) and  
Learning Outcomes based Curriculum Framework (LOCF))

**Effective from the academic year 2023-2024**

**Centre for Post Graduate Legal Studies(CPGLS)**

**School of Law**

## **VISION AND MISSION OF THE SCHOOL OF LAW**

### **VISION:**

To be a Centre of Excellence in imparting multi-disciplinary legal education by assimilating teaching methods with latest technology in order to transform students into responsible lawyers who are dedicated towards the profession and the society.

### **MISSION:**

1. Imparting knowledge in various and novel aspects of law through means of innovative and diverse pedagogy.
2. Inculcating key advocacy skills such as critical thinking and problem-solving skills.
3. Conducting high quality socio-legal research to formulate better policies and usher-in law reforms.
4. Jointly collaborating with institution of national and international repute to expand and broaden the horizons of career prospects for students.
5. Catering to the needs of the society by promoting democratic thoughts in the minds of the students.

## **PROGRAMME EDUCATIONAL OBJECTIVES (PEOs)**

The Programme Educational Objectives (PEOs) are broad statements that describe the career and professional accomplishments that the programme is preparing its graduates to achieve in few years after receiving the degree. The PEOs of Master of Laws (LL.M.) programme are as follows:

**PEO-1:** Graduates will be able to demonstrate the essential critical thinking skills necessary for a successful job in their area of specialty.

**PEO-2:** Graduates will be able to advance towards pursuing doctoral studies and hone their research abilities.

**PEO-3:** Graduates will be able to serve society through their teaching and research skills.

**PEO-4:** Graduates will possess improved legal knowledge that will provide them with a competitive advantage over other law graduates in the field.

**PEO-5:** Graduates will possess strong leadership qualities and a high level of moral responsibility, as well as the capacity to work professionally and ethically both on their own and as members of diverse teams.

## **PROGRAMME OUTCOMES (POs)**

Programme Outcomes (POs) are the attributes of the graduates of the programme that are indicative of his / her ability and competency to work as a professional in their chosen after graduation. Program outcomes are the knowledge, skills, and abilities that students should possess when they graduate from a program. Upon graduation, an LL.M graduate will be able to:

**PO-1:** Carry out independent research by utilizing their knowledge of variety of sources over a wide range of legal issues and concerns. (*Legal Knowledge*)

**PO-2:** Exhibit analytical abilities that are necessary to evaluate the decisions pronounced by the courts, as well as various provisions of law; and re-interpret the views and submissions of jurists and academicians. (*Analytical Skills*)

**PO-3:** Provide solutions to various issues based on the knowledge and understanding of the substantive and/or procedural components in their area of expertise. (*Critical Thinking*)

**PO-4:** Conduct independent research on a variety of subjects, especially in their area of specialization and author scholarly research papers. (*Research Skills*)

**PO-5:** Work on a variety of socio-legal concerns and cultivate a strong sense of duty and responsibility towards society. (*Social Responsibility*)

**PO-6:** Gain a reputation as an accomplished legal expert in today's demanding marketplace by mastering the most recent developments in the legal profession including using of modern da technology. (*Competitive Skills*)

**PO-7:** Apply diverse knowledge to prepare for higher research degree while maintaining focus on the goals. (*Higher Education*)

**PO-8:** Capable of putting their thoughts into words and their words into action, thus being able to communicate effectively (*Communication Skills*).

**PO-9:** Able to work independently, identify appropriate resources required for a project, and manage project through to completion (*Self-Directed Learning*).

**PO-10:** Embrace moral/ethical values in conducting one's life, avoiding unethical behaviours and adopting professional, objective, unbiased and truthful actions in all aspects of work (*Moral and Ethical Awareness*).

### **PROGRAMME SPECIFIC OUTCOMES (PSOs)**

Programme Specific Outcomes (PSOs) describe what graduates are expected to learn and perform in a specialized area of discipline, upon graduation from a programme. The PSOs of LL.M in Labour and Administrative Law programme are as follows:

**PSO-1:** Graduates will be able to contribute effectively and substantially through practice in the areas of Labour and Administrative Law.

**PSO-2:** Graduates will be able to demonstrate their research capabilities to provide solutions to various issues and contribute to the growth of such disciplines of law.

**PSO-3:** Graduates will be able to critically analyze existing laws, able to draft legislations and policies, thereby contributing to the nation's progress and of the world at large.

**LIST OF MEMBERS OF BOARD OF STUDIES IN LAW**

<b>Sl. No</b>	<b>Name and Designation of the Member</b>	<b>Role in Board of Studies</b>
1	<b>Dr. S. AMBIKA KUMARI</b> Professor and Dean, School of Law, VISTAS	Chairperson
2	<b>Dr. Ch. VENKATESWARLU</b> Associate Professor and HOD (i/c), LL.M Programmes, School of Law, VISTAS	Member - Internal
3	<b>Mr. V. KARTHIKEYAN</b> Assistant Professor and HOD (i/c), LL.B Programme, School of Law, VISTAS	Member – Internal
4	<b>Dr. AZIZUNNISSA BEGUM</b> Assistant Professor, School of Law, VISTAS	Member - Internal
5	<b>Dr. B. VENUGOPAL</b> Professor and Head, Department of Legal Studies, University of Madras, Chennai.	Member - External
6	<b>Dr. J. MAHALAKSHMI</b> Professor and Head, Department of Labour and Administrative Law, Tamil Nadu Dr. Ambedkar Law University (TNDALU), Chennai.	Member – External

# **LL.M REGULATIONS 2023**

# **VELS INSTITUTE OF SCIENCE, TECHNOLOGY AND ADVANCED STUDIES**

## **CHOICE BASED CREDITS SYSTEM (CBCS) and LEARNING OUTCOME BASED CURRICULUM FRAMEWORK (LOCF)**

### **LL.M REGULATIONS 2023**

(Applicable to all the candidates admitted to LL.M two-year degree programme from the academic year 2023-2024 onwards)

#### **1. DURATION OF THE PROGRAMME**

The duration of LL.M degree programme is Two years (four semesters). Each academic year is divided into two semesters. The odd semesters consist of the period from July to November of each year and the even semesters from January to May of each year. There shall be not less than 90 working days for each semester.

#### **2. ELIGIBILITY FOR ADMISSION**

Candidates seeking admission to the first year of LL.M programme shall have passed five year integrated UG Law or LL.B examination from any recognized institution with a minimum of 45% of marks in their qualifying examination. The maximum age on admission of the candidates shall be followed as per the BCI norms.

#### **3. ADMISSION PROCEDURE**

- a) Admission to two-year LL.M. programme shall be done through an All India Admission Test conducted every year by the University.
- b) Candidates who have CLAT / LSAT score shall be exempted from appearing in the All India Admission Test.
- c) Candidates awaiting results of the qualifying examination can appear for the Entrance Test subject to the condition that they produce proof of having passed the qualifying examination at the time of admission.
- d) The admission for Foreign Nationals shall be made on the basis of:
  - i) Academic record of LL.B or equivalent degree recognized by UGC / Association of Indian Universities with not less than 55% marks or equivalent grade.
  - ii) Assessment of necessary communication skills in written and spoken English and performance at the interview in terms of aptitude and capacity.

#### **4. MEDIUM OF INSTRUCTION**

The medium of instruction for LL.M programme is English.

#### **5. CREDITS REQUIRMENTS AND ELIGIBILITY FOR AWARD OF DEGREE**

A Candidate shall be eligible for the award of LL.M Degree only if he/she has undergone the prescribed course of study in VISTAS for a period of not less than two academic years and passed the examinations of all the prescribed courses of four semesters earning a minimum of 65 Credits as per the distribution given and also fulfilled such other conditions as have been prescribed thereof.

## 6. COURSE

The term 'course' indicates a logical part of the subject matter of the programme and is invariably equivalent to the subject matter of a 'paper' in the conventional sense. Each course / subject is designed under lectures / tutorials / practical training / assignments / term paper or report writing etc., to meet effective teaching and learning needs.

## 7. COURSE OF STUDY AND CREDITS

The course of study and the credit distribution for two-year LLM programme is as follows

Sl. No.	Course Category	Course Details	Credit
1	CORE	Core Course	4
2	DSE	Discipline Specific Elective Course	4
3	GE	Generic Elective Course	2
4	AEC	Ability Enhancement Course	2
5	SEC	Skill Enhancement Course	1

One hour of Lecture / Tutorial equals **One Credit**. Similarly, two hours of practical classes equals **One Credit**.

## 8. REQUIREMENTS FOR PROCEEDING TO SUBSEQUENT SEMESTER

**8.1. Eligibility:** Students shall be eligible to proceed to subsequent semester only if they earn sufficient attendance as prescribed therefore by the Board of Management from time to time.

**8.2. Attendance:** All Students must earn 75% and above of attendance for appearing for the University Examination (Theory/Practical).

**8.3. Condonation of shortage of attendance:** If a Student fails to earn the minimum percentage of attendance stipulated, the Head of the Institution shall condone the shortage of attendance on medical grounds up to a maximum limit of 10% (i.e., between 65% and above and less than 75%) after paying the prescribed fee towards the condonation of shortage of attendance.

**8.4. Detained students for want of attendance:** Students who have earned less than 65% of attendance shall not be permitted to proceed to the next semester, under any circumstances. Such Students shall be detained in the semester in which they lacked to secure the minimum percentage of attendance required and shall have to repeat the semester, by paying the fee for the break of study as prescribed by the University from time to time.

## 9. EXAMINATION AND EVALUATION

**9.1. Examination:** There shall be examinations at the end of each semester, for odd semesters in the month of November and for even semesters in May. A candidate who does not pass the examination in any course(s) in a particular semester shall be permitted to appear in such failed courses in the subsequent semester examinations to be held in November or May.

A candidate should get registered for the first semester examination. If registration is not possible owing to shortage of attendance beyond condonation limit / regulations prescribed or belated



joining or on medical grounds, the candidates are not permitted to move to the next semester. The results of all the examinations will be published through University Website. In the case of passed out candidates, their arrear results, will be published through University Website.

**9.2. To register for all subjects:** Students shall be permitted to proceed from the First Semester up to Final Semester irrespective of their failure in any of the Semester Examination, except for the shortage of attendance. For this purpose, Students shall register for all the arrear subjects of earlier semesters along with the current (subsequent) Semester Subjects.

### **9.3. Marks for Continuous Internal Assessment (CIA) and End Semester Examinations (ESE)**

There shall be no passing minimum for Continuous Internal Assessment (CIA).

For End Semester Examination (ESE), passing minimum shall be 50% (Fifty Percentage) of the maximum marks prescribed for the Course/Practical/Project and Viva-Voce.

In the aggregate (CIA and ESE) the passing minimum shall be of 50%.

He / She shall be declared to have passed the whole examination, if he/she passes in all the courses wherever prescribed in the curriculum by earning 64 credits.

## **10. INTERNAL MARKS**

The internal components are distributed among the following components:

a. Assignment	10 Marks
b. Seminar or Presentation	10 Marks
c. Model Examination	10 Marks
d. Attendance	5 Marks
e. Student Participation in Class	5 Marks
<b>TOTAL</b>	<b>40 Marks</b>

## **11. QUESTION PAPER PATTERN FOR END SEMESTER EXAMINATION**

The End Semester Examination shall be conducted for 100 marks in duration of 3 hours. The question paper for LL.M programme shall consists of 10 essay type questions in **either or** format i.e, there shall be five question numbers, from 1 to 5. Each question number shall have two question namely **a** and **b**. Students will have to answer any five questions choosing one from each question number i.e., they shall choose either **a** or **b** question. Each question shall be allotted 20 marks. Questions shall be equally distributed from each unit in the syllabus i.e., two questions per unit.

## **12. RETOTALLING, REVALUATION AND PHOTOCOPY OF THE ANSWER SCRIPTS:**

**Re-totalling:** All students who appeared for the Semester Examinations are eligible for applying for re-totalling of their answer scripts.

**Revaluation:** All current batch students who have appeared for the Semester Examinations are eligible for Revaluation of their answer scripts. Passed out candidates are not eligible for Revaluation.

**Photocopy of the answer scripts:** Students who have applied for revaluation can download their answer scripts from the University Website after fifteen days from the date of publication of the results.

### 13. CLASSIFICATION OF SUCCESSFUL STUDENTS

The following table shows the CGPA, Grade and Classification of students who have successfully passed in all the courses.

<b>CGPA</b>	5.00 – 5.99	6.00 – 6.99	7.00 – 7.49	7.50 – 7.99	8.00 – 8.49	8.50 – 8.99	9.00 – 10.00
<b>Grade</b>	D	C	B	B+	A	A+	O
<b>Class</b>	Second Class	First Class		First Class with Distinction			First Class - Outstanding

First Class – Outstanding / First Class with Distinction will be awarded to candidates who have passed the courses in first appearance.

### 14. MARKS AND GRADES

The following table shows the Range of Marks, Grade Points, Letter Grade and Description of the Letter Grade to indicate the performance of the student course-wise.

<b>Range of Marks</b>	<b>Grade Points</b>	<b>Letter Grade</b>	<b>Description</b>
90 – 100	10	O	Outstanding
85 – 89	9	A+	Excellent
80 – 84	8	A	Very Good
75 – 79	7.5	B+	Good
70 – 74	7	B	Above Average
60 – 69	6	C	Average
50 – 59	5	D	Minimum for Pass
00 – 49	0	RA	Reappear
		AAA	Absent

### Computation of Grade Point Average (GPA) in a Semester, Cumulative Grade Point Average (CGPA) and Classification:

$$\text{GPA} = \frac{\sum (C \times GP)}{\sum (C)} \qquad \text{CGPA} = \frac{\sum_{i=1}^n (C_i \times GP_i)}{\sum_{i=1}^n (C_i)}$$

Where,

n = Number of Subjects

C = Credit for the academic courses successfully completed

GP = Grade Point for the courses successfully completed

CGPA = Cumulative Grade Point Average

### 15. RANKING

- Students who pass all the examinations prescribed for the Program in the **FIRST APPEARANCE ALONE** are eligible for Ranking / Distinction.
- In case of students who pass all the examinations prescribed for the Program with a break in the First Appearance are only eligible for Classification.
- Students qualifying during the extended period shall not be eligible for RANKING.

## **16. MAXIMUM PERIOD FOR COMPLETION OF THE PROGRAMME TO QUALIFY FOR LL.M DEGREE**

A Student who for whatever reasons is not able to complete the programme within the normal period (N) or the Minimum duration prescribed for the programme, may be allowed two years period beyond the normal period to clear the backlog to be qualified for the degree. (Time Span =  $N + 2$  years for the completion of programme).

In exceptional cases like major accidents and childbirth, an extension of one year may be considered beyond maximum span of time (Time Span=  $N + 2 + 1$  years for the completion of programme).

## **17. REVISION OF REGULATIONS, CURRICULUM AND SYLLABI**

The University may from time-to-time revise, amend or change the Regulations, Curriculum, Syllabus and Scheme of Examination through the Academic Council with the approval of the Board of Management.

**LEARNING OUTCOMES  
BASED CURRICULUM  
FRAMEWORK (LOCF)  
LL.M**

## **1. Introduction**

The learning outcomes-based curriculum framework for post-graduate programmes in Law is intended to provide a comprehensive framework for designing and developing the curriculum for such programmes that respond to the changing needs of the students and parents, and the ever-growing requirements of the academia, the Bar, the Bench, and the society. The principal goal behind implementing learning outcomes-based curriculum framework is to provide the greatest flexibility to students, enabling them to understand the objectives behind studying a course and to assess the learning competency after the completion of the course. This framework will assist in improvement in the quality of LL.M programmes as it provides the much-needed flexibility and innovation in program design and syllabi development, teaching-learning process, and assessment of student learning levels, to keep pace with changes and demands in the field of law and academia.

## **2. Learning Outcomes based Curriculum Framework (LOCF) in LL.M**

The LL.M programme is a two-year PG programme. The programme is designed in such a way that it prepares students for a career in academics specifically and also in other sectors. The courses taught in LL.M act as keys to access various cognitive skills of the students.

The LL.M curriculum in VISTAS is divided into i) Core Courses that provide the in depth knowledge about the specific domain of discipline that students study, ii) Discipline Specific Electives and Generic Electives that provide additional knowledge in various streams specific to the discipline, iii) Ability Enhancement and Skill Enhancement courses that develops specialized skills required in the field and iv) Dissertation that provides first hand training to the students in legal research.

## **3. Nature and Extent of the Programme:**

The LL.M degree programme is comprehensive and rigorously structured and therefore, it is truly a post-graduate programme. Emphasis is laid on the development of core skills and competencies of students of LL.M in the field of academics and research, such as in communication, research, teaching ability etc, which will form the essential background for teaching law in a holistic manner. To this end, teachers adopt two well established methods in teaching, namely Cognitive and Socratic methods, in a blended manner.

The duration of the LL.M programme is two academic years, spanning four semesters. Each academic year is divided into two semesters. Each semester is for the duration of eighteen weeks. The teaching and learning modalities in LL.M programme will involve theory (lectures) and tutorial classes. The curriculum will be taught through formal lectures with the aid of technology, wherever the teacher feels the need, of power-point presentations, audio, and video tools. Additionally, some courses would require extensive on-the-hands study involving field work, industrial visits, discussions, project work. These are built into the teaching and assessment of all courses.

Thus, the introduction of outcome-based education in LL.M programme is expected to provide integrated learning experience towards actualization of personal, professional and societal goals.

#### 4. Objectives of the Programme:

The overall objectives of LL.M programme are

- a. To provide students with in depth knowledge of the specific field of law.
- b. To enhance the understanding, expertise and skills that students intend to acquire.
- c. To develop confidence in students by equipping them with essential skills such as interpretation, reasoning, inference, drafting, research, and argumentation, and generic skills such as listening, writing, communication and emotional intelligence.
- d. To prepare them to face competitive examinations besides a career in academics, policy making or pursuing higher studies.
- e. To facilitate them to undertake original quality research study especially in emerging areas in law and publish research findings in reputed journals.
- f. To transform them into skilled professionals and responsible citizens who will always be ready to serve the cause of the country, the academia, the Bar, the Bench and the industry.

#### 5. Graduate Attributes:

An LL.M graduate is expected to demonstrate the following characteristic attributes -

- a) **Disciplinary Knowledge:** Capable of demonstrating comprehensive knowledge and understanding of principles and concepts in varied domains of law and other varied inter-related disciplines.
- b) **Skilled Communicator:** Ability to transmit, complex legal information to others in a clear, concise and comprehensible manner in written as well as in oral form.
- c) **Critical Thinking, Analytical Reasoning and Problem-Solving Skills:** Capacity to analyze and evaluate evidence, arguments, claims, beliefs based on empirical evidence; identify relevant assumptions or implications; formulate coherent arguments; critically evaluate practices, policies, and theories to develop knowledge and understanding of Law; demonstrate the ability to apply learning to solve different kinds of problems.
- d) **Research-related Skills:** Develop a sense of inquiry and capability for asking relevant/appropriate questions, synthesizing and articulating; ability to plan, execute and report the results of study.
- e) **Team Player:** Capable of working effectively and respectfully with diverse teams in class, in moot courts and outside; facilitate cooperative or coordinated effort on the part of a group, and act together as a group or a team in the interests of a common cause and work efficiently as a member of a team.
- f) **Digital Literacy:** Capable of using computers to search and access data or information for research and for profession, and displaying ability to locate reported cases on e- reporters.
- g) **Ethical Awareness/Reasoning:** Embracing moral/ethical values in conducting one's life, avoiding unethical behaviours such as fabrication, falsification or misrepresentation of data or committing plagiarism, not adhering to intellectual

property rights; appreciating environmental and sustainability issues; and adopting professional, objective, unbiased and truthful actions in all aspects of work.

- h) Leadership Readiness/Qualities:* Ability to lead a team or an organization, and setting direction, formulating an inspiring vision and building a team which can help achieve the goal.
- i) Life-Long Learning:* Ability to involve in the process of Continuing Legal Education by acknowledging the reality that life-long learning is an essential component of a lawyer's life and that there is no end to learning.

## **6. Qualification Descriptors:**

Students who complete two years of full-time study of this programme and earn a minimum of 65 credits, will be eligible to receive LL.M degree. This includes Core Courses, Discipline Specific Elective Courses, Generic Elective Courses, Ability Enhancement Courses and Skill Enhancement Courses.

The qualification descriptors for a student who completes LL.M programme are:

- i)* Ability to demonstrate a comprehensive understanding of the subject including procedural knowledge and required skills,
- ii)* Ability to use his/her knowledge and skills to identify issues, collect data and evaluate it to formulate evidence-based solutions,
- iii)* Develop a sense of inquiry and capability for asking relevant/appropriate questions, synthesizing, and articulating,
- iv)* Ability to put forth valid arguments based on objective evidences while respecting other's viewpoints and,
- v)* Ability to conduct oneself in a professional manner by embracing ethical and moral standards set by the profession.

## **7. Programme Learning Outcomes:**

Students who enroll for LL.M programme will have the opportunity to master the following programme learning outcomes -

**PLO-1:** Demonstrate comprehensive knowledge and understanding of principles and concepts in varied domains of law and its linkages with various other disciplines.

**PLO-2:** Able to communicate effectively in a clear, concise, and comprehensible manner in written as well as in oral form; develop proficiency in multiple languages besides English.

**PLO-3:** Able to analyze facts, opinion, and evidence in a critical, scientific, and logical manner.

**PLO-4:** Able to find solution to problems, both familiar and especially unfamiliar ones, by applying not only the techniques taught during the course of study, but

also demonstrate capability to devise novel methodology to approach problems.

**PLO-5:** Able to conduct research, generate new knowledge especially in emerging areas in law and its inter-related disciplines and publish findings in standard and reputed journals or present in conferences or seminars.

**PLO6:** Able to work effectively and respectfully as a team player or lead a team as leader, thereby contributing to the success of the team goals.

**PLO7:** Able to use basic computer applications, search e-reporters, etc., for studies as well as for the profession.

**PLO8:** Able to conduct one-self morally and ethically upright in professional as well as in private life.

**PLO9:** Willingness to extend free legal aid and provide consultation to poor, deprived and marginalized people and provide them access to justice.

**PLO10:** Able to appropriate self-management, discipline and balanced thought and capacity to adapt and embrace change.

**PLO11:** Develop an attitude of self-reflection while learning & recognize the need for and have the preparation and ability to engage in independent and life-long learning in the broader context of changing legal milieu.

It is expected that empowering students with required skills specific to the discipline and the profession such as research, argumentation, and communication, attitudes and natures, and general values in it that studies human beings in their social context, in all its complexity, will ultimately enable learners to live rich, productive and meaningful lives.

## **8. Teaching – Learning Methods:**

The pedagogic methods adopted for the LL.M programme involves lectures, case study methods, problem solving approaches, tutorial discussions, seminar, as well as technology-supported presentations. We believe that education is interactive and all sessions between students and teachers are based upon reciprocity and respect.

Lectures (of one hour each) delivered would systematically deal with the themes of the syllabus. This constitutes the core of the teaching-learning process. The students are provided with bibliographic references and encouraged to go through some essential readings so that they could be more interactive and ask more relevant questions in the class. Emphasis is laid on the thorough understanding of theoretical foundation of the concepts.

Wherever needed, teachers use audio-video based technological devices (e.g. Power Point) to make their presentations more effective. Some courses require that students see a documentary, or undertake field visits to prison, legislative assembly, courts, forensic laboratory etc., and course themes are structured so that discussions of these will further nuance the critical engagement of students with ideas introduced in their textual materials.



## 9. Assessment Methods

Graded assessment of all courses in School of Law, VISTAS is broadly carried out in two forms:

- a) The first level of assessment is Continuous Internal Assessment (CIA). Students of LL.M will be assessed based on their performance in Assignment, Seminar / Presentation and their Preparedness and Participation in Class, apart from marks being allotted for regularity of attendance. There is a model examination conducted towards the end of the semester, which is the only written examination in internal components for LL.M. All these components comprise 40% of the final grade.
- b) The second level of assessment is done through the End Semester [theory] Examination (ESE) which covers the entire syllabus. The question paper for LL.M programme shall consist of 10 essay type questions in **either or** format i.e., there shall be five question numbers, from 1 to 5. Each question number shall have two questions namely **a** and **b**. Students shall answer any five questions choosing one from each question number i.e., they shall choose either **a** or **b** question. Each question shall be allotted 20 marks. Questions shall be equally distributed from each unit in the syllabus i.e., two questions per unit. The exam is conducted for duration of three hours. The end of semester examination comprises 60% of the final grade.

For Teaching Practice and Dissertation, there is no written End Semester Examination.

## CURRICULUM WITH OVERALL CREDIT DISTRIBUTION

(Minimum Credits to be Earned: 65)

### FIRST YEAR

FIRST SEMESTER					
CATEGORY	COURSE TITLE	HOURS PER WEEK			CREDITS
		Lecture	Tutorial	Practical	
Core	Legal Education and Research Methodology ( <b>Common Paper – I</b> )	4	0	0	4
Core	Law and Justice in a Globalizing World ( <b>Common Paper – II</b> )	4	0	0	4
Core	Nature, Emergence and Development of Intellectual Property Rights ( <b>Specialization – I</b> )	4	0	0	4
Core	Basic Principles of Intellectual Property Rights ( <b>Specialization – II</b> )	4	0	0	4
GE	Health Law	2	0	0	2
<b>TOTAL</b>		<b>18</b>	<b>0</b>	<b>0</b>	<b>18</b>

SECOND SEMESTER					
CATEGORY	COURSE TITLE	HOURS PER WEEK			CREDITS
		Lecture	Tutorial	Practical	
Core	Constitutional Law: The New Challenges ( <b>Common Paper – III</b> )	4	0	0	4
Core	Judicial Process ( <b>Common Paper – IV</b> )	4	0	0	4
Core	Copyright Law and Practice ( <b>Specialization – III</b> )	4	0	0	4
Core	Patent Law – Creation and Registration ( <b>Specialization – IV</b> )	4	0	0	4
AEC	Teaching Aptitude	2	0	0	2
<b>TOTAL</b>		<b>18</b>	<b>0</b>	<b>0</b>	<b>18</b>

**SECOND YEAR**

<b>THIRD SEMESTER</b>					
<b>CATEGORY</b>	<b>COURSE TITLE</b>	<b>HOURS PER WEEK</b>			<b>CREDITS</b>
		<b>Lecture</b>	<b>Tutorial</b>	<b>Practical</b>	
Core	Law Relating to Trademarks, Passing-Off and Trade Secrets <b>(Specialization – V)</b>	4	0	0	4
Core	Information Technology and Intellectual Property Rights <b>(Specialization – VI)</b>	4	0	0	4
DSE	Economic Development and Intellectual Property Law <b>(Discipline Specific Elective - I)</b>	4	0	0	4
SEC	Teaching Practice <b>(Practical)</b>	0	0	2	1
<b>TOTAL</b>		<b>12</b>	<b>0</b>	<b>2</b>	<b>13</b>

<b>FOURTH SEMESTER</b>					
<b>CATEGORY</b>	<b>COURSE TITLE</b>	<b>HOURS PER WEEK</b>			<b>CREDITS</b>
		<b>Lecture</b>	<b>Tutorial</b>	<b>Practical</b>	
Core	Law on Designs, Trademarks and Geographical Indication <b>(Specialization – VII)</b>	4	0	0	4
DSE	Law on Traditional Knowledge, Biodiversity and Plant Varieties – Promotion and Protection <b>(Discipline Specific Elective - II)</b>	4	0	0	4
Core	Dissertation	8	0	0	8
<b>TOTAL</b>		<b>16</b>	<b>0</b>	<b>0</b>	<b>16</b>

# SEMESTER - I

CORE		LEGAL EDUCATION AND RESEARCH METHODOLOGY (Common Paper – I)	L	T	P	Credits
			4	0	0	4

### **COURSE OBJECTIVES:**

The main objective of this course to acquaint the student of law with the scientific method of social science research. This course is expected to provide the knowledge of the technique of selection, collection, and interpretation of primary and secondary data in socio-legal research.

#### **Module 1: LEGAL EDUCATION IN INDIA**

**[12 Hours]**

Objectives of Legal Education – Role of Professional Legal Education in Democracy – Significance of Development of Skills and Inculcation of Values – Impact of Globalization on Legal Education – Post Graduate Legal Education: Objectives, Different Patterns, Reforms in Legal Education – Significance of Mac Crate Report – Role of Different Agencies: Bar Council of India, Law Commission, UGC, Government – Significance of Curriculum Development – Examination Reforms.

#### **Module 2: METHODS OF TEACHING**

**[12 Hours]**

Methods of Teaching: Lecture Method, Case Method, Problem Method, Socratic Method, Tutorial Method, Seminar-cum-Discussion Method – Clinical Legal Education – ICT and Learning Devices – Democratic Practices in Classroom.

#### **Module 3: BASICS OF RESEARCH, OBJECTIVES AND CLASSIFICATION**

**[12 Hours]**

Meaning, Objectives and motivation for Research – Foundations of Research Methodology – Comparison of Research Methods vis-à-vis Research Methodology – Legal Research – Kinds of Research: Doctrinal, Non-Doctrinal, Applied, Fundamental Research – Library Research – Field Research – Laboratory Research – Participatory and Non-Participatory – Comparative – Historical – Social-Legal – Quantitative and Qualitative – Research for Law Reform – Interdisciplinary Approach in Legal Research.

#### **Module 4: RESEARCH DESIGN AND DATA COLLECTION**

**[12 Hours]**

Various Steps in Research – Research Problem – Identification and Formulation of Hypothesis – Tools and Techniques for Collection of Data – Literature Review – Jurimetrics Analysis and Interpretation of Data – Preparation of Research Report – Plagiarism and Copyright Violation.

#### **Module 5: RESEARCH METHODS IN LEGAL RESEARCH AND REPORT WRITING**

**[12 Hours]**

Socio-Legal Research Method: Need and Significance – Research Question – Title, Identifying Relevant Areas of Law, Identifying Literature – Legal Writing and Essentials of Good Legal Writing – Thesis Writing – Evaluation – Research Ethics.

### ESSENTIAL READINGS:

1. Sushma Gupta History of legal Education, Deep and Deep, Delhi, 2006.
2. Dr.V.N.Paranjape, Legal Education and Research methodology. Central law Pub. Allahabad, 2011.
3. N.R. Madhava Menon, Clinical legal Education, Eastern Book Co., Lucknow, 2009.
4. William J. Goode and Paul K. Hatt, Methods in Social Research, Mc Graw-Hill Book Company, London (1952)
5. Erwin C. Surrency, B.Felf and J. Crea, A Guide to Legal Research, Oceana Publications, (1966).
6. C.R.Kothari: Research Methodology :Methods and Techniques, 2<sup>nd</sup> Edition, Wishwa Prakashan, New Delhi, 1995.
7. Wilkinson & Bhandarkar, Methodology and Techniques of Social Research, 9thEdition, Himalaya Publishing Housing, Bombay-Delhi-Nagpur 1994.
8. Sally Kift, A Tale of Two Sectors: Dynamic Curriculum Change for a Dynamically Changing Profession, 13th Commonwealth Law Conference (2003)
9. S. K. Verma and Afzal Wani, Legal Research Methodology, ILI, New Delhi, Latest edition.
10. The Bar Council of India rules for Advocate,  
<http://www.barcouncilofindia.org/about/professional-standards/rules-onprofessional-standards/>
11. UGC, Evaluation Reforms in Higher Education Institutions (2019)

### COURSE OUTCOMES:

Students will be able to

- CO1:** Explain the role of Bar Council, UGC and Law Commission in Curriculum Development.
- CO2:** Describe different teaching methods.
- CO3:** Compare research methods vis-à-vis research methodology.
- CO4:** Prepare a preliminary research design for projects in their subject matter areas.
- CO5:** Understand and identify the structure of drafting a legal research writing.

CORE		LAW AND JUSTICE IN A GLOBALIZING WORLD (Common Paper – II)	L	T	P	Credits
			4	0	0	4

**COURSE OBJECTIVES:**

The objective of this course is to enable students of Law to understand the process of globalization and to critically assess and assimilate its impact on law and justice.

**Module 1: GLOBALIZATION**

**[12 Hours]**

Introduction: Meaning - Social, Political and Economic Dimensions of Globalization – Emergence of Transnational Law in a Globalizing World – Impact of Globalization on Sovereignty of States – Impact of Globalization on Federalism and Democratic Law Making.

**Module 2: GLOBALIZATION AND ITS IMPACT ON HUMAN RIGHTS**

**[12 Hours]**

Impact of Globalization on Human Rights – Globalization and Free Market – Impact on Welfare State – Natural Resources – Environment Displacement for Development – Problem of Unemployment – Crime against Humanity.

**Module 3: CONCEPT OF JUSTICE IN A GLOBALIZING WORLD**

**[12 Hours]**

Globalization and Universal Values – Concept of Global Justice – Realism – Particularism – Nationalism – Cosmopolitanism – Connection between Law and Society – Theories of Justice – Global Distribute Justice.

**Module 4: IMPACT OF GLOBALIZATION ON SOCIAL CHANGE**

**[12 Hours]**

Impact of Globalization on Judicial Process and Administration of Justice – Law and Society – Social Basis of Law – Social Functions of Law – Law as a Framework of Social Life – Law as an Instrument of Social Change.

**Module 5: CONSTITUTIONAL DIMENSION TO JUSTICE**

**[12 Hours]**

Judicial Activism – Judicial Self-Restraint – Judicial Independence – Judicial Accountability – Precedent and Social Change – Doctrine of Stare Decisis in England and India – Access to Justice – Legal Literacy – Social Philosophy of Judge and Impact on Judicial Decisions – Committed Judiciary – Power of Dissent – Judicial Creativity.

**ESSENTIAL READINGS:**

1. Baxi, U. (2002). The future of human rights. New Delhi: Oxford University Press.Ch.1 & 7.
2. Sen, A. (2009). The idea of justice. Cambridge: Harvard University Press. Ch. 18
3. Ishwar Bhatt, Globalization, Law and Social Transformation in India.
4. Anghie, A. (2007). Imperialism, sovereignty and the making of international law. Cambridge: Cambridge University Press. Ch. 1, 5 & 6.
5. Pogge, T. (2002). World poverty and human rights: Cosmopolitan responsibilities and reforms. Cambridge: Polity. Ch. 4 & 7.

6. Amartya Sen, *Development as Freedom*, Oxford University Press, 1999.
7. Rajagopal B. (2003). *International law from below: Development, social movements and third world resistance*. Cambridge: Cambridge University Press. Ch. 5 & 7.
8. Chimni, B. S. (2007). *A Just World under Law: A View from South*. *American University International Law Review*, 22 (2), 199-220.
9. Singh, A. P. (2008). *Globalization and its Impact on National Policies with Reference to India: An Overview of Different Dimensions*. *Journal of Constitutional and Parliamentary Studies*, 42 (1-2), 62-78.
10. Adam, S. (2011). *Distributing Justice*. *New York University Law Review*, 86 (2), 500-572.

#### **COURSE OUTCOMES:**

Students will be able to

**CO1:** Critically evaluate globalization and its impact on federalism.

**CO2:** Analyse the impact of globalization and free market on welfare state.

**CO3:** Evaluate various theories relating to justice.

**CO4:** Analyse alternative legal strategies for social change.

**CO5:** Explain judicial activism and judicial self-restraint.



CORE		NATURE, EMERGENCE AND DEVELOPMENT OF INTELLECTUAL PROPERTY RIGHTS (Specialization – I)	L	T	P	Credits
			4	0	0	4

**COURSE OBJECTIVES:**

The course intends to introduce the genesis, nature and the development of Intellectual Property Rights in a theoretical framework.

**Module 1: INTRODUCTION TO INTELLECTUAL PROPERTY [12 Hours]**

Concept and Meaning of IPR – Nature and Characteristics of IPR – Origin and Development of IPR.

**Module 2: THEORIES OF IPR [12 Hours]**

Justification and Rationale for Protecting Intellectual Property – Balancing the Protection of IPR and Public Policy – Natural Theory – Hegelian Philosophy (Personality Theory) – Locke’s Theory of Property (Labour Theory) – Social Contract Theory – Social Planning Theor – Incentive Theory – Economic Theory.

**Module 3: INTERNATIONAL INSTITUTIONS AND BASIC INTERNATIONAL CONVENTIONS [12 Hours]**

Paris Convention for the Protection of Industrial Property, 1883 – The Berne Convention, 1886 – TRIPS Agreement, 1994 – International Institutions concerned with Intellectual Property.

**Module 4: CONTEMPORARY ISSUES IN IPR [12 Hours]**

Interface between IPR and Human Rights – Interface between IPR and Competition Law – IPR and Sustainable Development – Impact of Internet on IPR – IPR Issues in Biotechnology  
- E-Commerce and IPR Issues.

**Module 5: INTELLECTUAL PROPERTY REGIME IN INDIA [12 Hours]**

Intellectual Property Laws in India – IPR Policy of India – Balancing of Rights of IPR Holder and Society – Important Case Studies on Intellectual Property.

**[TOTAL: 60 Hours]**

**ESSENTIAL READING:**

1. David I. Bainbridge, Intellectual Property, Longman, 9th Edition, 2012
2. W.R. Cornish, Intellectual Property, Sweet & Maxwell, London (2000)
3. Elizabeth Verkey, Intellectual Property, Eastern Book Company, 2015
4. Peter Groves, Sourcebook on Intellectual Property Law, Routledge-Cavendish, 1997.

5. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd Edition, 2014.
6. Jayashree Watal, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press, 2001
7. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd Edition, 2008
8. Peter Drahos, A Philosophy of Intellectual Property, Dartmouth Pub Co, 1996
9. Duggal Pavan, Legal Framework on Electronic Commerce & Intellectual Property Rights, Universal Publishing House, 2014
10. Paul Torremans, Intellectual Property And Human Rights, Kluwer Law International, 2008
11. Steven D Anderman, Interface Between Intellectual Property Rights and Competition Policy, Cambridge University Press, 2007.
12. Philippe Cullet, Intellectual Property Protection and Sustainable Development, Lexis Nexis, 2005.

**COURSE OUTCOMES:**

**CO1:** Critically analyze the theoretical and philosophical foundation of the Intellectual Property System.

**CO2:** Analyse the changing notions of Intellectual Property.

**CO3:** Summarize the international development of Intellectual Property through various treaties and conventions.

**CO4:** Identify the relationship between Intellectual Property and Human Rights.

**CO5:** Examine the ambit of IPR policy of India.

CORE		BASIC PRINCIPLES OF INTELLECTUAL PROPERTY RIGHTS (Specialization – II)	L	T	P	Credits
			4	0	0	4

#### **COURSE OBJECTIVES:**

The objective of this course is to enable the students to understand about the basic principles of Intellectual Property Rights through the prism of Constitution, Human Rights and Competition Law.

#### **Module 1: UNDERSTANDING INTELLECTUAL PROPERTY [12 Hours]**

Introduction to IPR – Need for IPR – Understanding the Nature of IPR – Importance and Difficulties in Defining IP – Different Types of IP – Features of the various IP – Commonalities and Differences – New Dimensions and Expanding IP – IP as a Property – Relationship with Traditional Property – Justifying IP as a Property.

#### **Module 2: JUSTIFYING INTELLECTUAL PROPERTY [12 Hours]**

Philosophical Justification – Right based Justifications – Theories of Natural Right – Personality Theory – Distributive Justice – Economic Justifications – Incentive Theory – Reward Theory – Concept of Free Riding – Balancing of Moral Right – Economic Right, Social Right and Individual Interest.

#### **Module 3: CONSTITUTIONAL AND HUMAN RIGHT DIMENSIONS OF INTELLECTUAL PROPERTY [12 Hours]**

Need for Constitutionalizing Intellectual Property – Constitutional Provisions and Intellectual Property Rights – Issue of Balancing of Interest – Fundamental Right: Foundation of Intellectual Property – IPR and Human Rights Conflict on Convergence – Theoretical Approach – Art. 27(1) of UDHR, Art. 15(1)(c) of ICCPR, Art 10(2) of ECHR, Art 7 & 8(1) of TRIPS Agreement – Exploring the Relationship between Patents, Copyright, Trademarks vis-à-vis Human Rights.

#### **Module 4: IP AND COMPETITION [12 Hours]**

Theoretical Basis of IPR and Competition Law – TRIPS and its Impact on Competition Law Regime - Abuse of IPR and Competition Law – Doctrine of Exhaustion and its Treatment – Modern Trends in the Conflict in IPR and Competition Law.

#### **Module 5: CONVENTIONS, AGREEMENTS AND TREATIES IN THE FIELD OF INTELLECTUAL PROPERTY – BASIC INTRODUCTION [12 Hours]**

Conventions Agreements and Treaties with respect to IPRs – Paris Convention for the Protection of Industrial Property, 1983 – Patent Cooperation Treaty, 1970 – Hague Agreement Concerning International Deposit of Industrial Designs 1925 – WIPO Copyright Treaty, 1996 – Conventions Establishing the World IP Organization (WIPO) 1967 – TRIPS – IPR Polic of India.

**[TOTAL: 60 Hours]**

**ESSENTIAL READING:**

1. W.R. Cornish, Intellectual Property, Sweet & Maxwell, London (2000)
2. Elizabeth Verkey, Intellectual Property, Eastern Book Company, 2015
3. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd Edition, 2014.
4. P. Narayanan, Intellectual Property Law, Eastern Law House
5. B.L. Wadera, Law Relating To Intellectual Property, Universal Law Publishers, 2011
6. B.L. Wadera, Law Relating To Patents, Trademarks, Copyrights, Designs and Geographical Indications, Universal Law Publishing Co., 2004.
7. Ganguli, Intellectual Property Rights, Tata McGraw Hill
8. R.K. Nagarajan, Intellectual Property Law
9. R Cornish and David Liewelyn, Intellectual Property: Patents, Copyright, Trademark and Allied rights (Latest edition).
10. WIPO Intellectual Property Handbook: Policy, Law and Use (2004)

**COURSE OUTCOMES:**

- CO1:** State an exhaustive definition to Intellectual Property.
- CO2:** Identify the economic relevance of the existence of Intellectual Property.
- CO3:** List the various human rights involved in Intellectual Property Rights.
- CO4:** Critically analyze the modern trend in the regulatory strategy of IP issues.
- CO5:** Analyze the extent of harmonization in the standards of IP around the world.

GE		HEALTH LAW	L	T	P	Credits
			2	0	0	2

**COURSE OBJECTIVES:**

The objective of this course is to provide students with knowledge and understanding of the laws related to health care in India and other contemporary related issues.

**Module 1: INTRODUCTION**

**[6 Hours]**

Public Health as an Index of Development –Health promotion – Contagious Diseases control  
– National Health Policy –Medical Negligence and Malpractice – Duties of Hospitals Regarding Medico – Legal Issues.

**Module 2: HEALTH LAW – NATIONAL PERSPECTIVE**

**[6 Hours]**

Right to Health as a Fundamental Right in India – Mental Health Law –Private Health Sector Regulation – Barriers to Health care – Approaches of Judiciary.

**Module 3: HEALTH AND OTHER LAWS**

**[6 Hours]**

Consent to Treatment – Mental Health Act, 2017 –Protection of Human Rights of Mentally Ill Persons – Medical Termination of Pregnancy Act, 1971 – The Transplantation of Human Organs Act, 1994– Legal Liability of Medical Profession – Medical Audit.

**Module 4: HEALTH LAW AND MEDICAL ETHICS**

**[6 Hours]**

Principles of Medical Ethics – Autonomy – Board of Medical Ethics by Medical Council of India – Ethical Guidance for Research – Deontological Utilitarian Theories.

**Module 5: EMERGING ISSUES**

**[6 Hours]**

Stem Cell Treatment – Artificial Insemination and Surrogacy – Medical Termination of Pregnancy – Euthanasia – Organ Transplantation.

**TOTAL: 30 Hours**

**ESSENTIAL READINGS:**

1. M.C. Gupta, Micheal Davies – Textbook on Medical Law, 1<sup>st</sup>edn, Vol. I:(2004)
2. Steiner, John E.Jr, Wolters Kluer, Health Law and Compliance Update 2017, AspenPub: 6<sup>th</sup>edn.
3. Anne – Maree Farrell, Hohn Devereux, Isabel Karpin, Penelope Weller, Health Law, Frameworks and Contexts, Cambridge University Presss, Vol.II, (2015).
4. Dr. Nandita Adhikari, Law and Medicine, Central Law Publishing.
5. Jonathan Herring, Medical Law and Ethics
6. Mason and Mc Call Smith, Law and Medical Ethics

7. S. V. Jogarao, Current Issues in Criminal Justice and Medical Law

**COURSE OUTCOMES:**

Students will be able to

**CO1:** Analyse the duties of hospitals regarding medico-legal cases.

**CO2:** Describe the right to health as a fundamental right.

**CO3:** Explain about various laws relating to healthcare in India.

**CO4:** Describe about medical ethics and various theories connected to it.

**CO5:** Explain about various emerging issues with regard to healthcare in India.

# SEMESTER - II

CORE		CONSTITUTIONAL LAW: THE NEW CHALLENGES (Common Paper – III)	L	T	P	Credits
			4	0	0	4

### COURSE OBJECTIVES:

The course on Constitutional Law: The New Challenges aims to provide exposure to the students about various new and emerging challenges and perspectives of constitutional development in India.

#### Module 1: FEDERALISM

[12 Hours]

Creation of New states – Allocation and share of Resources – Distribution of Grants in aid- The inter – state disputes on Resources – Rehabilitation of Internally Displaces Persons – Centre’s Responsibility and Internal Disturbance within states – Directions of the center to the state under article 356 and 365- Federal comity: Relationship of Trust and Faith Between the centre and state – Special Status of certain states – Tribal Areas – Scheduled Areas.

#### Module 2: STATE

[12 Hours]

Need for widening the Definition in the wake of Liberalization – Right to Equality – Privatization and its Impact on Affirmative Action – Empowerment of women

#### Module 3: FREEDOM OF SPEECH AND EXPRESSION

[12 Hours]

Freedom of Press and challenges of New Scientific Development – Freedom of Speech and Right to Broadcast and Telecast – Right to strike – Hartal and Bandh.

#### Module 4: EMERGING REGIME OF NEW RIGHTS AND REMEDIES

[12 Hours]

Reading Directive principles and Fundamentals Duties into Fundamental Rights – Compensatory Jurisprudence – Right to Education – Commercialization of Education and its Impact – Brain Drain by Foreign Education Market – Right of Minorities to Establish and Administer Educational Institutions and State Control – Secularism and Religious Fanaticism.

#### Module 5: SEPARATION OF POWERS: STRESSES AND STRAIN

[12 Hours]

Judicial Activism and Judicial Restraint – PIL – Implementation – Judicial Independence – Appointment – Transfer and removal of Judges – Accountability – Executive and Judiciary – Tribunals.

[TOTAL: 60 Hours]



**ESSENTIAL READING:**

1. Seervai, H.N., Constitutional Law of India, Universal Law Publishing Co., Reprint, New Delhi, 2013.
2. Bakshi, P.M., The Constitution of India, Universal Law Publishing Co., New Delhi, 10<sup>th</sup> Edition, 2014.
3. Basu, D.D., Introduction to the Constitution of India, Lexis Publication, Nagpur, 22<sup>nd</sup> Edition, 2015.
4. Shukla, V.N., Constitution of India, Eastern Book Agency, Lucknow, 10<sup>th</sup> Edition, 2014.
5. Jain, M.P., Indian Constitutional Law, Lexis Nexis, Nagpur, 6<sup>th</sup> Edition, 2013.

**COURSE OUTCOMES:**

Students will be able to

**CO1:** Describe the relationship between Trust and Faith between Centre and states.

**CO2:** Explain about privatization and its impact on affirmative action.

**CO3:** Describe about Freedom of Speech and right to broadcast and telecast.

**CO4:** Evaluate commercialization of education and its impact on the education system.

**CO5:** Elucidate the concept of judicial activism.

CORE		JUDICIAL PROCESS (Common Paper – IV)	L	T	P	Credits
			4	0	0	4

### **COURSE OBJECTIVES:**

The objective of this course is to study the nature of judicial process and the role of the judiciary in evolving principle of governance.

#### **Module 1: NEED FOR JUDICIAL ADJUDICATION**

**[12 Hours]**

Necessity of the Administration of Justice – Administration of Civil and Criminal Justice – Certainty and uniformity in the Application of Law -The Significance of Judicial Constraints – The External Constraints, Internalized constraints and some structural Constraints.

#### **Module 2: NATURE OF JUDICIAL PROCESS**

**[12 Hours]**

Judicial Process as an Instrument of Social Ordering – Judicial Process and Creativity in Law – Common Law Model – Legal Reasoning and Growth of Law – Change and Stability – The Tools and Techniques of Judicial Creativity and Precedent – Legal Development and Creativity through legal reasoning under Statutory and Codified Systems – Special Dimensions of Judicial Process in Constitutional Adjudications – Nations of Judicial Review – Role in Constitutional Adjudication – Various Theories of Judicial Role – Tools and Techniques in Policy – Making and Creativity in constitutional Adjudication – Varieties of Judicial and Juristic Activism – Problems of Accountability and Judicial Law – Making.

#### **Module3: JUDICIAL PROCESS IN INDIA AND ENGLAND**

**[12 Hours]**

Indian Debate on the role of Judges – Notion of Judicial Review – The Independence of Judiciary and the political Nature of Judicial Process – Judicial Activism and Creativity of the Supreme court – The tools and Techniques of Creativity – Judicial process in pursuit of Constitutional Goals and Values – New Dimensions of Judicial Activism and Structural Challenges – Institutional Liability of Courts and Judicial Activism – Scope and Limited – Judicial Hierarchy.

#### **Module 4: THE CONCEPT OF JUSTICE**

**[12 Hours]**

The Concept of Justice or Dharma in India Thought – Dharma as the Foundation of Legal Ordering in Indian Thought – The Concept and Various Theories of Justice in the Western – Various Theoretical Bases of Justice – The Liberal Contractual Tradition- The Liberal Utilitarian Tradition and the Liberal Moral Tradition.

**Module 5: JUDICIAL PROCESS AND DEVELOPMENT****[12 Hours]**

Evolution of the Concepts of Basic Structure – Philosophy of the Doctrine of Basic Structure – Basic Structure and Constitutionalism – Recent Developments – The Law commission of India, Power, Functions and Development of Law and Legal system in India – The Role, Powers and Functions of Legal Services Authority.

**TOTAL: 60 Hours****ESSENTIAL READINGS:**

1. Julius Stone, The Province and Function of Law, 2000 Universal, New Delhi
2. Cardozo, The Nature of Judicial Process, 19945 Universal, New Delhi
3. W. Freidmann Legal Theory, 1960
4. Bodenheimer – Jurisprudence – The Philosophy and Method of the Law, Universal, New Delhi, 1997.
5. J. Stone, Legal System and Lawyers, Reasonings, 1999 Universal, New Delhi

**COURSE OUTCOMES:**

Students will be able to

**CO1:** Explain the significance of judicial constraints.

**CO2:** Understand legal development and creativity through legal reasoning under statutory and codified systems.

**CO3:** Discuss new dimensions of judicial activism and structured challenges.

**CO4:** Elucidate dharma as the foundation of legal ordering in Indian thought.

**CO5:** Describe the role, powers and functions of legal services authority.

CORE		COPYRIGHT LAW AND PRACTICE (Specialization – III)	L	T	P	Credits
			4	0	0	4

#### **COURSE OBJECTIVES:**

The objective of teaching this course is for students to understand the basics of Copyright historically through an international perspective and understand about licences, infringement of copyrights and the remedies.

#### **Module 1: BACKGROUND OF COPYRIGHT [12 Hours]**

History – Development – History of Copyright in India – Purpose and Objectives of Protection of Copyright – Introduction to various Copyright Treaties – Bilateral Copyright Treaties – Multilateral Copyright Treaties.

#### **Module 2: INTERNATIONAL FRAMEWORK [12 Hours]**

Berne Convention – From 1886 Berne Act to 1977 Stockholm Act – 1971 Paris Act of the Berne Convention – Universal Copyright Convention – 1952 Geneva Act – 1971 Paris Act of the Universal Copyright Convention.

#### **Module 3: NORMS OF INTERNATIONAL COPYRIGHT [12 Hours]**

WIPO Copyright Treaty (WCT) – International Conventions for the Protection of Performers, Procedures of Phonograms and Broadcasting Organizations (Rome Convention 1961) – Geneva Phonograms Convention – WIPO Performances and Phonograms Treaty (WPPT) – Brussels Satellite Convention – TRIPS Agreement and Provisions dealing with Copyright Protection.

#### **Module 4: OWNERSHIP OF COPYRIGHT AND LICENCES [12 Hours]**

Terms of Copyright – First Owner of the Work – Joint Authors – Assignment of Copyright – Licences – Compulsory Licence – Termination of Licence Issued – Copyright Societies – Copyright Board.

#### **Module 5: INFRINGEMENT AND REMEDIES [12 Hours]**

Substantial Similarity Test – Infringement of Literacy, Dramatic, Musical, Artistic and Cinematographic Film – Fair Dealing – Remedies – Civil Remedies – Criminal Remedies – Restriction on Remedies in the case of works of Architecture.

**TOTAL:60 Hours**

**ESSENTIAL READING:**

1. Narayanan, Law of Copyright and Industrial Designs (Latest edition)
2. Mihaly Ficsor, The Law of Copyright and the Internet (2002)
3. Alka Chawla, Law of Copyright and Related Rights: National and International Perspectives (2012)
4. W.R. Cornish, Intellectual Property, Sweet & Maxwell, London (2000)
5. Elizabeth Verkey, Intellectual Property, Eastern Book Company, 2015
6. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd Edition, 2014.
7. Cohen, Loren et.al, Copyright in the Global Information Economy, Aspen, 2nd ed., 2006
8. Elizabeth Adeney, The Moral Rights of Authors and Performers: An International and Comparative Analysis, OUP, 2006.
9. Lionel Bently et.al., Copyright and Piracy: An Interdisciplinary Critique, CUP, 2010
10. Nimmer on Copyright Law, LexisNexis, 2007.

**COURSE OUTCOMES:**

- CO1:** Describe the purpose and objective of protection of copyright.
- CO2:** Give an account of the international convention on Copyright.
- CO3:** Identify different treaties related to copyright protection.
- CO4:** Explain compulsory licence and assignment of copyright.
- CO5:** Elaborate civil and criminal remedies for infringement of copyright.

CORE		PATENT LAW – CREATION AND REGISTRATION (Specialization – IV)	L	T	P	Credits
			4	0	0	4

**COURSE OBJECTIVES:**

This course is taught with the aim to familiarize students about the concept, importance, creation, registration, filing and granting of patents.

**Module 1: CONCEPT AND IMPORTANCE OF PROPERTY AND INTELLECTUAL PROPERTY [12 Hours]**

Concept of Property – Theories – Kinds – Intellectual Property and its Subject Matter – Nature of Intellectual Property – Need for Protection – Changing Dimensions of IPR.

**Module 2: OVERVIEW OF THE PATENT LAW [12 Hours]**

Development of Patent System in India – Essential Pillars of Patent – Non-Patentable Inventions - Justification behind Patent System – Indian Patents Act, 1970 with Patent Amendment Act, 2005.

**Module 3: INTERNATIONAL DEVELOPMENT IN PATENT PROTECTION [12 Hours]**

Paris Convention – Patent Cooperation Treaty – European Patent Convention – WIPO –TRIPS.

**Module 4: PROCEDURES FOR GRANT OF PATENT APPLICATION [12 Hours]**

Types of Patent Application – Contents of Patent Application – Provisional and Complete Specification – Physical Requirements of Specification and their Function – Principles of Construction of Specification and Claims – Patent Office Procedure – Various Forms and Fees – Utility Patent, Plant Patents, Design Patents in USA – Software Patents and Business Methods.

**Module 5: ENFORCEMENT OF PATENTS – PATENT INFRINGEMENT AND OTHER IMPORTANT FACETS OF PATENT LAW [12 Hours]**

Rights and Obligation of the Patentee – Terms of a Patent – Working of a Patent – Compulsory Licensing – Licensee’s Rights – Infringement and Remedies – Literal Infringement – Infringement by Equivalents – Doctrine of Equivalents – Defenses to Infringement – Jurisdiction of the Courts.

**TOTAL: 60 Hours**

**ESSENTIAL READING:**

1. Carvalho, TRIPS Regime of Patent Rights, Apen Publishers, 2010
2. Fisher, Mathew, Fundamentals of Patent Law: Interpretation and Scope of Protection, Hart Publications, 2007.
3. Gomulkiewics, Nguyen, Conway-Jones, Licensing Intellectual property: Law and Application, Aspen 2008
4. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd Edition, 2014.
5. Joseph Straus et.al., Patents and Technological Progress in a Globalized World, Springer, Berlin, 2009.
6. Elizabeth Verkey, Law of Patents, Eastern Book Company, Lucknow, 2004
7. William Van Caenegem, Intellectual property Law and Innovation, Cambridge University, New York, 2000.
8. Nard, The Law of Patents, Aspen, 2008
9. Uma Suthersanan, Innovation without Patents: Harnessing the Creative Spirit in a Diverse World, Edward Elgar, 2007
10. Geertrui Van Overwalle, Gene Patents and Collaborative Licensing Models, CUP, 2009.

**COURSE OUTCOMES:**

- CO1:** Evaluate the concept of Intellectual Property and its different kinds.
- CO2:** Analyse the development of patent system in India.
- CO3:** Give an account of different treaties and conventions relating to patents.
- CO4:** Summarize the contents of patent application.
- CO5:** Appraise patent infringement and remedies.

SEC		TEACHING APTITUDE	L	T	P	Credits
			2	0	0	2

**COURSE OBJECTIVES:**

The aim of this course is to create a general awareness among students about teaching-learning process in higher education system and to help them to effectively prepare for UGC-NET exam.

**Module 1: TEACHING**

**[6 Hours]**

Teaching: Concept, Objectives - Levels of Teaching: Memory, Understanding and Reflective - Characteristics and Basic Requirements – Learners Characteristics: Characteristics of Adolescent and Adult Learners (Academic, Social, Emotional and Cognitive), Individual Differences – Factors affecting Teaching related to: Teacher, Learner, Support Material, Instructional Facilities, Learning Environment and Institution.

**Module 2: TEACHING PREPAREDNESS AND SUPPORT SYSTEM**

**[6 Hours]**

Preparing Curriculum and Syllabus – Developing Teaching and Lesson Plans – Methods of Teaching in Institutions of Higher Learning: Teacher Centred vs. Learner Centred Methods – Offline vs. Online Methods – SWAYAM, SWAYAMPBHA, MOOCs – Teaching Support System: Traditional, Modern and ICT Based.

**Module 3: EVALUATION OF STUDENT'S PERFORMANCE**

**[6 Hours]**

Preparing a Question Paper – Elements and Types of Evaluation – Examination System – Problems in Evaluation – Methods of Evaluation: Continuous Internal Assessment and End- term Examinations – Innovations in Evaluation Systems – Objective and Subjective Evaluation – Grading Assignments – Supervision: Exam Supervision, Ethics, Research Supervision, and Inculcation of Good Practices.

**Module 4: COMMUNICATION**

**[6 Hours]**

Communication: Meaning, Types and Characteristics of Communication – Effective Communication: Verbal and Non-Verbal, Inter-Cultural and Group Communications – Classroom Communication – Barriers to Effective Communication.

**Module 5: HIGHER EDUCATION SYSTEM IN INDIA**

**[6 Hours]**

Institutions of Higher Learning and Education in Ancient India – Evolution of Higher Learning and Research in Post Independent India – Policies, Governance and Administration related to Higher Education in India – Choice Based Credit System (CBCS) – Learning Outcomes based Curriculum Framework (LOCF) – UGC NET – National Education Policy, 2020.

**TOTAL:30 Hours**



**ESSENTIAL READING:**

1. N.R. Madhava Menon, Legal Education for Professional Responsibility – An Appraisal of the New Pattern, Legal Education in India: Status and Problems, BCI Trust, New Delhi, 1983.
2. P.L. Mehta, Legal Education and Profession in India, 2000.
3. S. Agarwala, Legal Education in India – Past, Present and Future.

**COURSE OUTCOMES:**

Students will be able to

**CO1:** Understand the characteristics of teaching.

**CO2:** Prepare for class as a teacher.

**CO3:** Evaluate and assess a student's performance.

**CO4:** Effectively communicate in class.

**CO5:** Explain about the developments in Higher Education in India.

# SEMESTER - III

<b>CORE</b>		<b>LAWS RELATING TO TRADEMARKS, PASSING-OFF AND TRADE SECRETS (Specialization – V)</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>Credits</b>
			4	0	0	4

**COURSE OBJECTIVES:**

The course is designed to enable students to understand about the laws relating to trademarks, passing-off and trade secrets.

**Module 1: UNDERSTANDING TRADEMARKS**

**[12 Hours]**

Nature and Scope of Protection of Trademark as an Intellectual Property – Meaning and Definition of Mark, Trademark, Service-mark, Collective-mark and Certification-mark, Associated-mark – Permitted Use – Registered Trademark – Registered Proprietor – Registered User – Well known Trademark.

**Module 2: LAW ON TRADEMARKS**

**[12 Hours]**

Trademarks Act, 1999 – Amendments to Trademarks Act, 1999 – Trademark Rules – Comparison with Laws in USA and UK – Relation between Domain Names and Trademarks – Domain Name Disputes – Cases – International Policy – Treaties and Agreements on Trademark.

**Module 3: REGISTRATION OF TRADEMARK**

**[12 Hours]**

Grant – Long Prior User – Grounds for Refusal of Registration – Absolute and Relative Grounds – Distinctiveness – Deceptive Similarity of Trademarks – Limitations – Honest Concurrent Use – Trademark Registry – Register of Trademarks – Rights of Registered Trademark Users.

**Module 4: EFFECT OF REGISTRATION**

**[12 Hours]**

Infringement, Passing Off, Suits for Remedies, Civil, Criminal and Administrative – Statutory Authorities – Appellate Powers – Powers of Registrar – Appeals to Appellate Board – Penalties and Procedure.

**Module 5: TRADE SECRETS**

**[12 Hours]**

Nature of Trade Secrets – Importance – Types of Information that could be Trade Secret – Protection of Trade Secrets – Comparative Perspective – Confidential Information – Application of Confidential Information to Employer-Employee Relationship – TRIPS Protection to Undisclosed Information – Remedies available to a Trade Secret Owner – Position in UK, USA – The Indian Standards Relating to Trade Secrets.

**[TOTAL: 60 Hours]**

**ESSENTIAL READING:**

1. Amanda Michaels, A Practical Approach to Trademark Law, OUP, 2010
2. Battersby & Grimes, Trademark and Copyright Disputes: Litigation Forms and Analysis, Aspen, 2003
3. Carvalho, The TRIPS regime of Trademarks and Designs, Kluwer, 2006.
4. Andrew Griffiths, An Economic Perspective on Trademark Law, Edward Elgar, 2011
5. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd Edition, 2014.
6. W.R. Cornish, Intellectual Property, Sweet & Maxwell, London (2000)
7. Elizabeth Verkey, Intellectual Property, Eastern Book Company, 2015
8. P. Narayanan, Law of Trademarks and Passing Off.
9. Holyoak & Torremans, Intellectual Property Law, Oxford University Press, 2008.
10. WIPO Reading Material on Intellectual Property, WIPO, Geneva.

**COURSE OUTCOMES:**

**CO1:** Enable the student to learn the substantive and procedural aspects of the law relating to Trademark law.

**CO2:** Critically evaluate the importance of International Treaties, Agreements and Classification of Trademark.

**CO3:** Identify the rights conferred by Trademark registration.

**CO4:** Distinguish between the elements consisting of the offences for a passing off and a trademark infringement.

**CO5:** Compare the protection of trade secrets in India and in other countries.

CORE		INFORMATION TECHNOLOGY AND INTELLECTUAL PROPERTY RIGHTS (Specialization – VI)	L	T	P	Credits
			4	0	0	4

**COURSE OBJECTIVES:**

The aim of this course is to disseminate knowledge among the students about the importance as well as the need for understanding the nuances of information technology and its vast potential and role under the intellectual property rights regime.

**Module 1: CONCEPT OF INFORMATION TECHNOLOGY AND CYBER SPACE [12 Hours]**

Interface of Technology and Law – Jurisdiction in Cyber Space and Jurisdiction in Traditional Sense – Internet Jurisdiction – Indian Context of Jurisdiction – Enforcement Agencies – International Position of Internet Jurisdiction – Cases in Cyber Jurisdiction.

**Module 2: LAW ON INFORMATION TECHNOLOGY [12 Hours]**

Aims and Objects – Overview of the Information Technology Act, 2000 – Jurisdiction – Electronic Governance – Legal Recognition of Electronic Records and Electronic Evidence – Digital Signature – Role of Certifying Authorities – Internet Service Provider and their Liability.

**Module 3: E-COMMERCE [12 Hours]**

UNCITRAL Model – Legal Aspects of E-Commerce – Digital Signature – E-Commerce Trends and Prospects – E-Taxation – E-Banking – Online Publishing and Online Credit Card Payment – Employment Contracts – Contractor Agreements – Sales – Re-Seller and Distributive Agreements – Non-Disclosure Agreements.

**Module 4: CYBER LAW AND INTELLECTUAL PROPERTY RIGHTS [12 Hours]**

Understanding Copyright in Information Technology Software – Copyrights vs. Patents Debate – Copyright in Internet – Multimedia and Copyright Issues – Software Piracy – Computer related Patents – Legal position on Computer Related Patents – Indian Position on Computer related Patents – Trademarks in Internet – Domain Name Disputes & WIPO – Database in Information Technology.

**Module 5: CYBER CRIMES [12 Hours]**

Meaning of Cyber Crimes – Different kinds of Cyber Crimes – Cybercrimes under IPC, CRPC and Indian Evidence Act – Cybercrimes under Information Technology Act, 2000 – Cyber Crimes under International Law – Hacking – Child Pornography – Cyber Stalking – Virus Dissemination – Software Piracy – Credit and Fraud – Cyber Terrorism – Data Protection and Piracy.

**[TOTAL: 60 Hours]**

**ESSENTIAL READING:**

1. Herman T. Tavani, Ethics and Technology, Ethical Issues in an Age of Information and Communication Technology, 3rd Edition, John Wiley and Sons, Inc., 2011.
2. Syed Shakil Ahmed and Reheja Rajiv, A Guide to Information Technology (Cyber Laws and Ecommerce), Capital Law House, 2001.
3. Kamath Nandan, Law Relating to Computers Internet and E-commerce, 2<sup>nd</sup> edition, Reprint: 2002, Universal Book Traders.
4. Ahmad Tabrez, Cyber law, E-commerce and M- Commerce, A. P. H. Publishing Corporation, 2003
5. Bakshi P.M and Suri R.K, Cyber and E-commerce Laws, Bharat Publishing House, 1<sup>st</sup> edition, 2002.
6. Vishwanathan Suresh T, The Indian Cyber Law, 2nd Edition 2001, Bharat Law House.
7. Prasad T.V.R. Satya, Law Relating to Information Technology (Cyber Laws), 1<sup>st</sup> edition 2001-Asia Law House.
8. Reed Chris, Computer Law, 3rd Edition 1996 (First Indian Reprint 2000), Universal Law Publishing Co. Pvt. Ltd.
9. P. Narayanan, Intellectual Property (Trade Marks and the Emerging concepts of Cyber property rights (HB)", 3rd Edition. (HB), 2002, Universal Book Traders

**COURSE OUTCOMES:**

- CO1:** Distinguish between jurisdiction in cyber space and in traditional sense.
- CO2:** Critically evaluate the law on electronic governance.
- CO3:** Explain about online banking, online publishing, and online credit card payment.
- CO4:** Compare and contrast intellectual property rights with information technology law.
- CO5:** Evaluate different kinds of cybercrimes provided under IPC, CRPC and Indian Evidence Act.

<b>DSE</b>		<b>ECONOMIC DEVELOPMENT AND INTELLECTUAL PROPERTY LAW (Discipline Specific Elective – I)</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>Credits</b>
			4	0	0	4

**COURSE OBJECTIVES:**

This course aims to transcend the knowledge among the student about the role, the importance and the prospect of intellectual property law in the economic development and prosperity of a country.

**Module 1: INTRODUCTION TO INTELLECTUAL PROPERTY RIGHTS AND ITS IMPORTANCE [12 Hours]**

Nature of Intellectual Property – Need for Protection of Intellectual Property – Management of Intellectual Property – IP Risk Management in Technological Innovation.

**Module 2: ROLE OF INTELLECTUAL PROPERTY IN ECONOMIC DEVELOPMENT [12 Hours]**

Scope of IPR – Patents, Trademarks, Industrial Disputes, Copyrights, Geographical Indication, Traditional Knowledge, New Plant Varieties – Trade Secrets and Confidential Information – Global Dimension of IPR in Science and Technology.

**Module 3: IPR AND TECHNOLOGICAL INNOVATION [12 Hours]**

Introduction to Innovation – Inventions – Biotech and others – New Technology Development – Technology Portfolio Management.

**Module 4: COMMERCIALIZATION OF TECHNOLOGY [12 Hours]**

Freedom to Practice Assessment – Technology / IP Valuation – Technology Transfer – Technology Licensing – Compulsory Licenses – Technology Licensing Agreement – Due Diligence in Technology Acquisition.

**Module 5: IP ENFORCEMENT AND RECENT CHALLENGES [12 Hours]**

Enforcement of IPR – Litigation Strategy – WIPO and Disputes Resolution Methods – Remedies for Infringement of IPR – Human Rights and IP – Traditional Knowledge and IPR.

**[TOTAL: 60 Hours]**

**ESSENTIAL READING:**

1. Avtar Singh, Intellectual Property Law, Eastern Book Company, 2013.
2. Berman Bruce, From Assets to Profits: Competing for IP Value and Return, Wiley, 2<sup>nd</sup> Edn., 2008.

3. Bouchoux Deborah E, Protecting Your Company's Intellectual Property, AMACON, American Management Association, 2001.
4. John E. Ettlie, Managing Innovation, Elsevier, 2011.
5. Llewelyn David, Invisible Gold in Asia: Creating Wealth through Intellectual Property, Marshall Cavendish Corp, 2010.
6. Robert G. Cooper and Scott J. Edgett, Product Innovation and Technology Strategy, Product Development Institute, 2009.
7. Robert G. Cooper, Winning at New Products: Proven Roadmap for Success, Basic Books, 2011.
8. Ryder Rodney D, Intellectual Property Law: Concept to Commercialization, Macmillan India Ltd., New Delhi, 2006.
9. Smith Gordan V and Paar Russell L., Intellectual Property Valuation, Exploitation and Infringement Damages, Wiley, 2005.
10. Sreedharan Sunita K, An Introduction to Intellectual Asset Management, CCH India, Wolters Kluwer (India) Pvt. Ltd., 2008.

**COURSE OUTCOMES:**

- CO1:** Elucidate the need for protection of Intellectual Property Rights.
- CO2:** Critically evaluate global dimensions of IPR in science and technology.
- CO3:** Explain about new technology development.
- CO4:** Compare and contrast technology licensing and technology licensing agreement.
- CO5:** Explain the recent challenges and IPR.



SEC		TEACHING PRACTICE (Practical)	L	T	P	Credits
			0	0	2	1

### **COURSE OBJECTIVES:**

The aim of this course is to equip the students of LLM to teach UG law students and make them understand the art of teaching.

Students will be assigned a topic from any UG Law course. They shall prepare accordingly and teach UG students in classroom. Students are required to research and prepare teaching report as well as notes for the class. Students have to make presentations before the panel constituted for the purpose before engaging a UG class. Students are required to prepare for the UG class under the guidance of a teacher. Students have to engage 5 sessions to satisfy the requirements of this course.

### **Evaluation Pattern**

There is no written examination for this course. Forty percent of the evaluation will be done on the basis of a student's ability to prepare lesson plan and the teaching notes which will form the basis of internal assessment. The remaining sixty percent is allotted to his / her performance in the classroom as a teacher.

**[TOTAL: 40 Hours]**

### **COURSE OUTCOMES:**

Student will be able to

- CO1:** Prepare Lesson Plan.
- CO2:** Prepare Teaching Notes.
- CO3:** Use the latest available ICT tools for teaching.
- CO4:** Assess and grade assignments objectively.
- CO5:** Deliver lectures effectively.

# SEMESTER -IV

CORE		LAW ON DESIGNS, TRADEMARKS AND GEOGRAPHICAL INDICATIONS (Specialization – VII)	L	T	P	Credits
			4	0	0	4

**COURSE OBJECTIVES:**

The course intends to enable students understand about law of designs, trademarks and geographical indications.

**Module 1: INTRODUCTION TO DESIGNS ACT, 2000 [12 Hours]**

Nature, Objective and Purpose of Industrial Designs Act, 2000 – Interrelations between Copyright and Design Essentials for Design Protection – Designs Prohibited from Registration.

**Module 2: LAW ON DESIGNS [12 Hours]**

Registration of Designs – Rights Conferred by Registration – Assignment, Transmission and Licensing of Registered Design – Infringement of Copyright in a Design – Piracy of a Registered Design – Remedies against Piracy of Design – Locarno Agreement dealing with Classification of Industrial Designs.

**Module 3: INTRODUCTION TO TRADEMARK LAW [12 Hours]**

International Treaties and Conventions: Paris Convention, Madrid Agreement, TRIPS Agreement and Minimum International Standards for Trademarks – Development of Trademarks Legislation in India – Assignment, Transmission and Licensing of Trademarks.

**Module 4: INFRINGEMENT OF RIGHTS AND REMEDIES [12 Hours]**

Infringing and non-infringing Acts – Doctrine of Deceptive Similarity – Passing off Action – Common Law Remedy – Remedies for Infringement – Authorities under the Trademarks Legislation – Trademark Laws – Domain Names.

**Module 5: GEOGRAPHICAL INDICATIONS [12 Hours]**

Provisions relating to Geographical Indications in TRIPS – Lisbon Agreement for the Protection of Appellations of Origin and International Registration – Geographical Indications of Goods (Registration and Protection) Act – Geographical Indications in Regional Perspective.

**[TOTAL: 60 Hours]**

**ESSENTIAL READING:**

1. Stephen M. Steward, International Copyright and Neighbouring Rights, Londong,1983.
2. E.P. Skare James, Copinger and Skare James on Copyright, London, 1991.
3. Kala Thairani, How Copyright Works in Practice, Bombay, 1996.
4. Proceedings of the National Seminar on Law of Copyright: From Gutenberg's Invention to Internet, Delhi, 2001.
5. Narayanan P., Trademarks & Passing off, Eastern Law House, 6th edition, 2006.
6. Shiv Sahai Singh, The Law of Intellectual Property Rights, Deep & Deep Publication Pvt. Ltd. 2004.
7. W. R. Cornish, Intellectual Property: Patents. Copyrights, Trademarks and allied rights, London: Sweet & Maxwell, 1996.
8. J. S. Sarkar, Trademarks- Law and Practice, 1997.
9. P.S. Sangal & K. Ponnuswamy, Intellectual Property Law, 1994.
10. Hilary E. Pearson and Clifford G. Miller, Commercial Exploitation of Intellectual Property, Indian Reprint, 1994.
11. Trademarks in the Marketplace: selection and adoption of trademarks, proper use and protection, by United State Trademarks Association, 1964, University of Michigan.
12. Dorr. C. Robert, Protecting Trade Secrets, Patents, Copyrights and Trademarks, 1990, University of Michigan.
13. Gravis Daniel, The TRIPS Agreement: Drafting History and Analysis, 2nd edition, Sweet & Maxwell.
14. Nair. R. Latha, Geographical Indications: A Search for Identity, Lexis Nexis, Butterworth, 2005.

**COURSE OUTCOMES:**

- CO1:** Analyse the interrelation between copyright and design.
- CO2:** Summarize the provisions relating to assignment transmission and licensing of registered designs.
- CO3:** Categorize the international treaties and convention on Trademark laws.
- CO4:** Differentiate passing off action from infringement of trademark.
- CO5:** Explain geographical indications in regional perspective.

DSE		LAW ON TRADITIONAL KNOWLEDGE, BIO-DIVERSITY AND PLANT VARIETIES – PROMOTION AND PROTECTION (Discipline Specific Elective - II)	L	T	P	Credits
			4	0	0	4

#### **COURSE OBJECTIVES:**

This course deals with the law on traditional knowledge, bio-diversity and plant varieties. The aim of teaching this course is to disseminate knowledge about the importance that India offers to Biodiversity through the Bio-Diversity Act, 2002. A chapter on farmer's rights is also given for students to understand as to how a farmer's rights is covered under IP laws.

#### **Module 1: TRADITIONAL KNOWLEDGE**

**[12 Hours]**

Concept of Traditional Knowledge – Issues relating to Traditional Knowledge – Bio- Prospecting and Bio-Piracy – Need for a Sui Generis Regime.

#### **Module 2: BIO-DIVERSITY ACT, 2002**

**[12 Hours]**

Objectives and Need for the Legislation – Principles of Bio-Diversity – India as Mega Diversity Nation – Protection of Biodiversity as Sovereign Rights – Mechanism Monitoring Biodiversity – Remedies for Infringement – National Biodiversity Authority – State Biodiversity Board – Biodiversity Management Committee – Convention on Biodiversity, 1992.

#### **Module 3: PROTECTION OF PLANT VARIETIES AND FARMERS RIGHTS ACT, 2001**

**[12 Hours]**

UPOV – Seeds Policy and Legislations – Objectives and Need for a Legislation – Conceptualization of Plant Varieties – Breeding and Culture.

#### **Module 4: PLANT VARIETIES AND FARMERS RIGHTS AUTHORITY**

**[12 Hours]**

Plant Varieties Registry – Registration of Plant Varieties – Rights on Registration – Exclusions to Registration.

#### **Module 5: FARMERS RIGHTS**

**[12 Hours]**

Concept of Farmer's Rights – Gene Fund – Breeder's Privilege – Benefit Shifting – Benefit Sharing and Biological Diversity Act, 2002 – Compulsory License – Plant Varieties Protection: Appellate Tribunal – Infringement – Remedies for Infringement.

**[TOTAL: 60 Hours]**

**ESSENTIAL READING:**

1. Christoph Antons (ed.) Traditional Knowledge, Traditional Cultural Expressions.
2. Intellectual Property Law in the Asia Pacific Region, Kluwer Max Planck Series, (2009) Indigenous Heritage and Intellectual Property: Genetic Resources, Traditional Knowledge and Folklore, Kluwer Law International, 2008.
3. Iver P. Cooper, Biotechnology and the Law, South Asian Edition.
4. Prof. A Chandrasekaran, Intellectual Property Law, Sitaraman & Co. July 2004
5. Avtar Singh, Intellectual Property Law, Eastern Book Company, 2013.
6. Berman Bruce, From Assets to Profits: Competing for IP Value and Return, Wiley, 2<sup>nd</sup> Edn., 2008.
7. Bouchoux Deborah E, Protecting Your Company's Intellectual Property, AMACON, American Management Association, 2001.
8. John E. Ettlie, Managing Innovation, Elsevier, 2011.
9. Llewelyn David, Invisible Gold in Asia: Creating Wealth through Intellectual Property, Marshall Cavendish Corp, 2010.
10. Robert G. Cooper and Scott J. Edgett, Product Innovation and Technology Strategy, Product Development Institute, 2009.

**COURSE OUTCOMES:**

- CO1:** Enumerate the issues relating to Traditional Knowledge.
- CO2:** Elucidate protection of biodiversity as a sovereign right.
- CO3:** Give an account of seeds policy and explain the need for a legislation.
- CO4:** Describe the rights on registration.
- CO5:** Explain breeder's privilege and benefit sharing.

CORE		DISSERTATION	L	T	P	Credits
			8	0	0	8

**COURSE OBJECTIVE:** The course enables students to understand and undertake research in a specialized area of their interest. It helps them to understand the basics of legal research, and research methods; and to undertake a piece of supervised independent research putting into practice research methods skills leading to a dissertation.

The topic of the dissertation can relate to any subject area covered in any of the courses of the LL.M Program. Students are required to select their topic of dissertation in the consultation with the Research Supervisor concerned and work under the supervisor till the completion and submission of the dissertation. Dissertation carries 200 marks in total of which 150 marks is allotted for the dissertation and 50 marks is allotted for viva–voce examination.

**The Dissertation should contain the following details.**

1. Introduction
2. Objective
3. Research questions / Hypothesis
4. Review of Literature
5. Research methodology
6. Chapters
7. Main findings
8. Conclusions
9. Recommendations

**ESSENTIAL READINGS:**

1. Watt, Robert and Johns, Francis, concise book on legal Research, 6<sup>th</sup>Edn., Sydney, Federation Press, 2001.
2. Ahuja, Ram. Research methods, Jaipur, Rawat, 2001.
3. Goode and Hatt, et al. Methods in Social Research, McGraw Hill publication Ltd, New York, 1952.
4. Young, Pauline, & Schmid, Calvin F. Scientific Social Survey and Research Analysis of Social Studies. New Delhi, Prentice, 1968.
5. S.K. Verma & Afzal Wani, Legal Research Methodology, New Delhi, Indian Law Institute, 1998.

**COURSE LEARNING OUTCOMES:**

Students will be able to

**CO1:** Understand how to employ research methods in carrying out research.

**CO2:** Identify the difference between Empirical and Doctrinal research.

**CO3:** Use various tools to conduct research.

**CO4:** Analyze and synthesize collected data.

**CO5:** Prepare a research dissertation following proper methodology.