

NAME OF SUBJECT: INTELLECTUAL PROPERTY LAW

PAPER CODE: LL.B.- 627

MAXIMUM MARKS: 30+70=100

TIME ALLOWED: 3 HRS.

INTERNAL ASSESSMENT: 30 MARKS

TERM-END EXAMINATION: 70 MARKS

OBJECTIVE: The paper intends to provide comprehensive knowledge to the students about Indian position of the Patent Law, 1970; Copy Right Law, 1957 and Design Act, 2000.

MODULE-I: Introduction

- a) **Origin and Development of Intellectual Property.**
- b) **Concept of Corporeal and Incorporeal Property.**
- c) **Meaning and Concept of Copyrights, Trademarks, Geographical Indications, Industrial Designs, Patents and Plant Varieties.**

MODULE-II: Copyrights

- a) **Nature and Meaning.**
- b) **Registration of Copyright under Indian Law.**
- c) **Rights conferred by Copyright.**
- d) **Infringement of Copyright.**
- e) **Scope of Protection.**
- f) **Procedure for Protection.**
- g) **Enforcement and remedies.**

MODULE-III: Trademarks

- a) **Nature and Meaning.**
- b) **Registration of Trademarks.**
- c) **Difference between infringement of Trademark and passing off.**
- d) **Scope of Protection.**
- e) **Procedure for protection.**
- f) **Enforcement and remedies.**

MODULE-IV: Industrial Design

- a) **Nature and Meaning.**
- b) **Registration of Designs.**
- c) **Infringement in Industrial Designs under Indian Design Act, 2000.**
- d) **Scope of Protection.**
- e) **Procedure for Protection.**
- f) **Enforcement and Remedies.**

MODULE-V: Patents

- a) **Nature and Meaning.**
- b) **Patentable and Non-patentable Invention.**
- c) **Process of obtaining a patent.**
- d) **Licenses of Right and Revocation of Patent.**
- e) **Duration of Patent Grant.**
- f) **Infringement.**
- g) **Scope of Protection.**
- h) **Procedure for Protection.**
- i) **Enforcement and Remedies.**

MODULE-VI: Geographical Indications

- a) **Procedure for Registration.**
- b) **Infringement of Geographical Indications and Assignment.**

MODULE-VII: Protection of Plant Varieties and Farmers' Right

- a) **Persons who can apply for registration.**
- b) **Requisites for Registration.**
- c) **Farmer Rights.**
- d) **Compulsory Licensing.**

MODULE-VIII: International Protection

- a) **Important Provision relating to Protection of Copyrights under Berne Convention, 1886.**
- b) **Trademark under Madrid Agreement, 1891.**
- c) **Patents under Patent Cooperation Treaty, 1970.**
- d) **Protection of Industrial Design under the Hague System, 1925 and Protection of New Varieties of Plants under UPOV Convention, 1961.**
- e) **Aims and objectives of TRIPS Agreement.**

RECOMMENDED READINGS

1. P. Narayana--- Intellectual Property Law.
2. W.R. Cornish--- Intellectual Property Law.
3. N.S. Gopal Krishna--- Cases and Material on IPL.
4. P. Narayanan--- Intellectual Property Law. Eastern Law House.
5. T.R. Srinivas--- The Copyright Act, 1957.
6. Meenu Paul--- Intellectual Property Law.
7. M.K. Bhandari--- Law Relating to Intellectual Property Rights. Central Law Publications.
8. Paris Convention for the Protection of Industrial Property, 1883.
9. Berne Convention for the Protection of Literary and Artistic Works, 1886.
10. Indian Copyright Act, 1957.

NAME OF SUBJECT: LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM

PAPER CODE: LL.B.- 628

MAXIMUM MARKS: 30+70=100

TIME ALLOWED: 3 HRS.

INTERNAL ASSESSMENT: 30 MARKS

TERM-END EXAMINATION: 70 MARKS

OBJECTIVE: This paper focuses on land reforms apart from land acquisition procedures and rent laws.

MODULE-I : Land Reform: The Constitutional Provisions

- a) **Constitutional Provisions on Agrarian Reform Legislations.**
- b) **Abolition of Zamindars and Intermediaries.**
- c) **Land Ceiling Legislation.**
- d) **State enactments prohibiting alienation of land by tribal to non-tribals.**
- e) **Consolidation of holdings.**

MODULE-II: Evaluation of Land Reform

- a) **Absence of Political will as an impediment.**
- b) **Role of Judiciary.**
- c) **Role of Administrative Agencies.**

MODULE-III: Land Acquisition

- a) **Land Acquisition Act, 1894.**
- b) **Purpose.**
- c) **Procedure.**
- d) **Compensation.**

MODULE-IV: Rent Law- Concepts, Terms and Processes

- a) **Rent Legislation in India.**
- b) **Definitions: Land Lord, Tenant, Land and Fair Rent.**
- c) **Fixation of Fair Rent.**

MODULE-V: Eviction and Dispute Settlement Mechanism

- a) **Grounds of Eviction: Non-payment of Rent; Sub-letting; Change of user; Material alteration; Non-occupancy; Nuisance; Dilapidation; Bonafide requirement of the landlord; Alternative accommodation; Building and re-construction and Limited Tenancy.**
- b) **Settlement of rent disputes.**

MODULE-VI: Land Management in Uttarakhand.

MODULE-VII: Houses and Shops Rent Control Legislation in Uttarakhand.

RECOMMENDE READINGS

1. V.N. Shukla---Constitution of India.
2. P.K. Sarkr--- Law of Land Acquisition in India.
3. K.T.S. Tulsi--- Law of Rent Control in India.

NAME OF SUBJECT: HUMAN RIGHTS LAWS AND PRACTICE INCLUDING PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT

PAPER CODE: LL.B.- 629

MAXIMUM MARKS: 30+70=100

TIME ALLOWED: 3 HRS.

INTERNAL ASSESSMENT: 30 MARKS

TERM-END EXAMINATION: 70 MARKS

OBJECTIVE: Human Rights is a hotly debated issue the world over. UN bodies and NGOs are concerned about the implementation of Human Rights. The Law of Human Rights is a contemporary topic of International Law.

MODULE-I: Introduction

- a) History, Evolution and Growth
 - i. Meaning and Concept of Human Rights
 - ii. Ancient Indian Perspectives--- *Dharma, Sarva Dharma Sambhava and Vasudev Kutumbkam.*
 - iii. League and Nations and Human Rights.
 - iv. Universal Declaration of Human Rights and its Legal Significance.

MODULE-II: UN Charter and Human Rights

- a) International Bill of Human Rights.
- b) Universal Declaration of Human Rights, 1948.
- c) Covenants of 1966.
- d) International Conventions on Human Rights.
- e) International Conferences on Human Rights.
- f) Optional Protocols.

MODULE-III: Human Rights under Indian Constitution and their Enforcement

- a) Fundamental Rights.
- b) Directive Principles of State Policy

MODULE-IV: Role of Judiciary

- a) National Human Rights Commission.
- b) Protection of Human Rights Act, 1993.
- c) Role of NGOs in the Promotion and Protection of Human Rights.

MODULE-V: Group Rights

- a) Prisoners
- b) Women and Children.
- c) Indigenous People.

- d) Disabled.

MODULE-VI: International Humanitarian Law- IHL

- a) Introduction to International Humanitarian Law.
- b) Development of International Humanitarian Law.
- c) IHL and Human Rights Law.
- d) Geneva Conventions of 1949 and Additional Protocol of 1977 and IHL.
- e) Implementation of IHL- International Perspectives.
- f) International responsibility for Violations of IHL.
- g) Implementation of IHL.
- h) National measures for the Implementation of IHL- Indian perspectives.

MODULE-VII: Refugee Law

- a) International Refugee Law- IRL.
 - i. Introduction, Origin and Development.
 - ii. Determination of refugee status.
 - iii. Definition, Rights and Protection.
 - iv. UNHCR.
 - v. Asylum.
 - vi. Rights and Duties of Refugees.
 - vii. Causes of refugee flows and the Law of State Responsibility and Durable solutions.
 - viii. Internally Displaced Persons.
 - ix. Refugee Convention of 1951 and 1967 Protocol.
- b) Refugee Law in India
 - i. Protection of refugee- Indian perspectives.
 - ii. India and International Conventions.
 - iii. Refugees in India.
 - iv. Law relating to refugee in India.
 - v. Policy of Indian Government.
 - vi. Judicial Trends.
 - vii. Model National Law on Refugee.

RECOMMENDE READINGS

1. UN Charter.
2. Constitution of India.
3. Human Rights Act, 1993.
4. M.K. Sinha--- Implementation of Non-Derogational Human Rights. Delhi, 1999.
5. D.D. Basu--- Human Rights.
6. Upendra Baxi--- Human Rights.
7. Thomas Buergenthal--- Human Rights.

8. Henry Steiner & Philip Alston--- International Human Rights Law.
9. B.G. Ramchandran--- International Human Rights. Oxford, 1998.
10. Y.K. Tyagi--- British Year Book. 2001.
11. Rama Jois--- Human Rights in Ancient India.
12. F. Kazmi--- Human Rights.
13. Nagender Singh--- Human Rights and International Cooperation.
14. J. Swarup--- Human Rights and Fundamental Freedom.
15. S.C. Khare--- Human Rights and United Nations.
16. A.B. Kailash--- Human Rights in International Law.
17. I. Menon (Ed.)--- Human Rights in International Law.
18. A.B. Robertson (Ed.)--- Human Rights in International Law.
19. E. Lauterpacht--- International Law and Human Rights.
20. Sohn Levis & Burgenthal--- International Protection of Human Rights.
21. M.K. Barachandran & Verghese Rose--- Introduction to International Humanitarian Law.
ICHR Publication.
22. H.O. Agarwal--- International Law and Human Rights. CLP, Allahabad. 1999.

NAME OF SUBJECT: CYBER LAWS

PAPER CODE: LL.B.- 630

MAXIMUM MARKS: 30+70=100

TIME ALLOWED: 3 HRS.

INTERNAL ASSESSMENT: 30 MARKS

TERM-END EXAMINATION: 70 MARKS

OBJECTIVE: With the growth of Information Technology throughout the Globe and introduction of Information Technology Act, 2000, it is imperative that the law students must be aware of new development in the field of law.

MODULE-I: Introduction

- a) Need and role of law in cyber space.
- b) Authority and scope of Governments to regulate Internet.
- c) Free speech and expression on Internet.
- d) Impact of Telecommunication and Broadcasting Law on Internet Regulation.
- e) Privacy issues and Access Rights.
- f) Related issues under International Law Jurisdiction.
- g) Issues of enforcement.

MODULE-II: Property in Cyber Space

- a) Concept of Property in cyber space.
- b) Nature of Intellectual Property Rights and Copyrights issues.
- c) Berne Convention.
- d) WIPO Copyright Convention.
- e) TRIPS Agreement.
- f) Application of Copyright Act, 1957.
- g) Scope of Protection of Computer Programme.
- h) Application of Patents to Computer Technology.

MODULE-III: Electronic Commerce

- a) Introduction to Electronic Commerce.
- b) Online Contracts.
- c) Establishing and Maintaining Brand Identity.
- d) Spamming.
- e) Disclaimer.
- f) Competition Law.
- g) Licensing and Regulatory Requirements.
- h) Electronic Fund Transfer.
- i) Evidence and Security.
- j) Taxation.

k) Work in UNCITRAL, WTO & WIPO regarding Commerce.

MODULE-IV: Cyber Crime

- a) Obscenity.
- b) Defamation.
- c) Hacking and Cracking.
- d) Crime through Mobile Phone.

MODULE-V: Genetic and Medical Technologies.

- a) Regulation of Genetic Technology.
- b) Laws on Medical Technologies.

MODULE-VI: Broadcasting

- a) Regulation and Control of Broadcasting.
- b) Law relating to Cable Television Network.

MODULE-VII: Information Technology Act, 2000.

- a) History.
- b) Objectives.
- c) Legal Recognition of Electronic Records and Procedure.
- d) Legal Recognition of Digital Signature.
- e) Certifying Authority and its Role.
- f) Controller of Certifying Authority- Appointment, Functions and Powers.
- g) Cyber Appellate Tribunal: Offences and Punishment under Act.

MODULE-VIII: Liabilities

- a) Liabilities of Internet Service Providers.
- b) Amendment to Indian Penal Code, 1860.
- c) Amendment to Indian Evidence Act, 1872.
- d) Amendments to Bankers Books Act, 1891.
- e) Amendments to Reserve Bank of India Act, 1934.

RECOMMENDED READINGS

1. Relevant Acts and Conventions.
2. Information Technology Act--- Prof. S.R. Bhansali.
3. Cyber Laws (Text and Cases)--- Gerald R. Ferrera, WEST THOMSON LEARNING.
4. Cyber Crime--- Vakul Sharma.
5. Law Relating to Computers, Internet and E-Commerce--- Nandan Kamath.
6. Cyber Law--- K.K. Kumar
7. Patents, Trademarks, Copyrights, Design and Geographical Indications--- B.L. Wadhwa.
8. Intellectual Property Law--- Ganguly.

NAME OF SUBJECT: MOOTCOURT EXERCISES AND INTERNSHIP

PAPER CODE: LL.B.- 631

MAXIMUM MARKS: 30+70=100

TIME ALLOWED: 3 HRS.

INTERNAL ASSESSMENT : 30 MARKS

TERM-END EXAMINATION: 70 MARKS

OBJECTIVE: This shall be a simulation course and the students shall be prepared in a case either in a moot court or in a mock trial on a given problem. This paper shall have three components of 30 marks each and a viva for 10 marks.

MODULE-I: Moot Court (30Marks)

Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

MODULE-II: Observance of Trial in two cases, one Civil and one Criminal (30 Marks)

Students may be required to attend two trials in the course of last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

MODULE-III: Interviewing Techniques and Pre-Trial preparations and Internship Diary (30 Marks)

Each student will observe two interviewing sessions of clients at the Lawyer's Office/ Legal Aid Office and record the proceedings in a diary which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit / petition. This will be recorded in the diary which will carry 15 marks.

MODUEL-IV: Viva

The fourth component of this paper will be Viva voice examination on all the above three aspects. This will carry 10 marks.