

**M. Com. Course (2019 Pattern) Semester: I**  
**(Commercial Laws & Practices)**

**Subject - Intellectual Property Laws: Patents, Trade Marks & Biodiversity Course**  
**Code - 106-I**

**1. Objectives of the Course:**

- a. To equip the students to deal with the challenges of Contemporary Business World with recent knowledge.
- b. To develop independent logical thinking and problem solving skills.
- c. To sensitise the students regarding suitable careers in management and regulation of IPRs.
- d. To acquaint the students with the methods of Data collection and their interpretations.
- e. To develop among students Analytical and interpretation skills.

**Depth of the program:** Fundamental Knowledge, Principles and provisions of relevant Statutes and understanding of its applicability

**Objectives of the Program:**

1. To equip and train the students to accept the challenges of existing business environment.
2. To develop independent logical thinking and facilitate students to enhance their personality.
3. To equip the students for seeking suitable careers in management and entrepreneurship in the field of IPRs.
4. To study methods of Data collection and its interpretations.
5. To develop among students Communication and critical thinking skills.

Unit No.	Unit Title	Contents	Purpose Skills to be developed
1	Intellectual Property	Intellectual Property Rights (IPR): Origin and Concept, Commercial and cultural dimensions, types of IPR, International Conventions and Organizations; WTO, WIPO, GATT, TRIPS Paris Convention, PCT, Budapest Treaty	<ul style="list-style-type: none"> <li>Acquainting students with historical aspects of IPR and International Conventions and organizations regarding IPRs.</li> </ul>
2	Patents	<p><b>Patents:</b> Definition, concept, types, patentable &amp; non-patentable inventions, Applications for patents, complete procedure for obtaining patents. (Chapters 1 to 8 of Patents Act, 1970 as amended), Patents of Additions, surrender &amp; revocation of patents. Working of Patents, Compulsory licenses and revocation, use of patents for government purposes and acquisition of patents, Infringement of patents - acts of Infringement and defenses, remedies for Infringement - suits, appeals.</p> <p>Offenses and penalties [Chapters 16 to 20 of Patents Act, 1970 as amended]</p> <p>Patents Offices, establishment, Controller of Patents: functions and powers, Patent Agents, International arrangement [Chapters 14 &amp; 21, 22 of the Act ], Issues and concerns in patent regime</p> <p>Important Judgments To Be Studied:</p> <p>1) <i>Bajaj Auto Limited v. TVS Motor Company Limited</i> JT 2009 (12) SC 103</p> <p>2) <i>Novartis v. Union of India</i> (2013) 6 SCC 1</p> <p>3) <i>Dr Snehlata C. Gupte v. Union of India &amp; Ors</i> [W.P. (C) No 3516 and 3517 of 2007] Delhi HC</p> <p>4) <i>Bayer Corporation v. Union of India</i> 162(2009) DLT 371</p>	<ul style="list-style-type: none"> <li>Acquiring conceptual and procedural know-how of Patents, Patents office and Remedial measures in case of infringements of patents.</li> </ul>

3	<b>Trade Marks</b>	<p><b>Trade Marks:</b> Definition, concept, types, Registration of Trade Marks - Procedure, duration, effect.</p> <p>Appellate Board - Establishment, Composition, qualifications, procedure and powers, disposal of appeals.</p> <p>Assignments and Transmission of Trade Marks, Provisions relating to collective &amp; certification Trade Marks, textile goods, Infringement of Trade Marks and remedies, Offenses and Penalties.</p> <p>Important Judgments To Be Studied :</p> <p>1) <i>The Coca-Cola Company v. Bisleri International Pvt. Ltd</i> Manu/DE/2698/2009</p> <p>2) <i>Clinique Laboratories LLC and Anr. v. Gufic Limited and Anr.</i> MANU/DE/0797/2009</p> <p>3) <i>Yahoo!, Inc. v. Akash Arora &amp; Anr</i> [1999 (19) PTC 201 (Del)]</p> <p>4) <i>Cadila Health Care v. Cadila Pharmaceutica Ltd.</i> [2001 PTC (SC) 561]</p>	<ul style="list-style-type: none"> <li>Acquiring conceptual and procedural knowledge of Trade mark and its registration. Appellate Board, Remedial measures in case of infringements of Trade mark.</li> </ul>
4	<b>Biodiversity Act, 2002</b>	<p>Important relevant definitions of the terms like Biodiversity, Biological Resources, Benefit Claims, Commercial Utilization, Fair &amp; Equitable Benefit Sharing, Sustainable Use—Regulation of Access to Biodiversity [ Ss 3 to 7], Functions &amp; Powers of National Biodiversity Authority &amp; State Biodiversity Board [ Ss 18 to 25]</p>	<ul style="list-style-type: none"> <li>Identifying need and Significance Biodiversity along with its regulatory framework .</li> </ul>

**\*All Acts are to be studied with recent amendments**

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