DEPARTMENT OF LAW
SAURASHTRA UNIVERSITY,
RAJKOT

[ Accredited Grade “A” ]
By NAAC

FACULTY OF LAW
DIPLOMA IN INTELLECTUAL
PROPERTY LAW
[ D.I.P.L. ]
Effective From June - 2016

Saurashtra University
University Campus, Rajkot – 360 005
Gujarat , India.

Website : www.saurashtrauniversity.edu
Saurashtra University  
Faculty of Law  
DIPLOMA IN INTELLECTUAL PROPERTY LAWS  
IN FORCE FROM JUNE, 2016  
Ordinances and Regulations  

O.D.I.P.L. 1. Candidate shall be admitted to the course should have passed a bachelor’s degree examination having three years duration from this university or any other recognized university.

O.D.I.P.L. 2. The Diploma Course is a regular full time of one year duration consisting of two academic terms.

O.D.I.P.L. 3. The admitted candidate can not join any other course of study without prior permission of the university.

O.D.I.P.L. 4. The Medium of instruction & Examination shall be English, Hindi or Gujarati as the case may be which will not be changed during the entire Diploma programme.

O.D.I.P.L. 5. Admission granted by the affiliated college/institute to any student shall be provisional till the enrollment/registration/enlistment is made by the University & in case the admission is granted on the bases of provisional eligibility certificate, the conditions & instruction given by the University should be complied within the time limit fixed by the University or latest by the beginning of next semester otherwise term kept by the such a student will be cancelled and no fees on any account will be refunded.

O.D.I.P.L. 6. Every affiliated college or institution shall have to take appropriate measures against ragging & gender problems in the college/institution. The word college/institution included college building, sports complex, Hostels and such other components which are within the purview of the college. In case of occurrence of any such incident the violator shall be dealt with very seriously and appropriate stringent action be taken by the principal of the college observing principle of natural justice. The head of college may appoint a committee to inquire in to the matter which will also observe the principle of natural justice. The committee will submit its report to the Head of college who may take further necessary action in the matter.

Regulation’s:

R. D.I.P.L. 1. The Teaching and examination scheme shall be as under

<table>
<thead>
<tr>
<th>Sr.</th>
<th>Name of Subject</th>
<th>Max. Marks</th>
<th>Mini. Passing Marks</th>
<th>Weekly Period</th>
<th>Exam. Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>General Regime of Intellectual Property Rights</td>
<td>100</td>
<td>33*</td>
<td>3</td>
<td>Three Hours</td>
</tr>
<tr>
<td>2.</td>
<td>Patent Law, Trademarks</td>
<td>100</td>
<td>33*</td>
<td>3</td>
<td>Three Hours</td>
</tr>
<tr>
<td>3.</td>
<td>Copyright, Neighbouring Rights and Industrial Designs.</td>
<td>100</td>
<td>33*</td>
<td>3</td>
<td>Three Hours</td>
</tr>
</tbody>
</table>
4. Trademarks Act

* Aggregate 50% Marks to be obtain by the candidate for passing in the examination.

**R. D.I.P.I.** 2. Candidates must forward their application for admission to university examination to the Registrar on or before the prescribed date with a certificate of attendance duly signed by the principal along with the examination fees prescribed by the University.

**R. D.I.P.I.** 3. (1) Candidate securing 50% marks will be awarded second class. (2) Candidate securing 66% or more marks in the examination will be awarded first class.
## Diploma in Intellectual Property Law

**Annexure “B”**

Saurashtra University, Rajkot

**Faculty of Law**

<table>
<thead>
<tr>
<th>Name of Course</th>
<th>Semester</th>
<th>Core/Elective/Allied/Practical/Project</th>
<th>Course/Paper Code</th>
<th>Course/Paper Title</th>
<th>Credit</th>
<th>Internal Marks</th>
<th>External Marks</th>
<th>Practical/Viva Exam Marks</th>
<th>External Exam Time Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIPR</td>
<td>00</td>
<td>Core</td>
<td>1604000504000100</td>
<td>General Principles of Intellectual Property Rights</td>
<td>3</td>
<td>00</td>
<td>100</td>
<td>-</td>
<td>Three Hours</td>
</tr>
</tbody>
</table>

**Paper -1 : General Principles of Intellectual Property Rights** 100 Marks

**Course objectives:**
- To acquaint students with Intellectual Property Rights.
- To make them aware of General Principles and Economic development and Intellectual Property Rights.

**Course Contents:**

### Unit-1. Introduction to Intellectual Property

1.1 Concept of Intellectual Property
1.2 Kinds of Intellectual Property
1.3 Economic Importance of Intellectual Property

### Unit-2 Indian Theory on Private Property

2.1 Constitutional Aspects of Property
2.2 Constitutional Protection of Property and Intellectual Property

### Unit-3 Economic Development and Intellectual Property Rights Protection

.........
Paper -2 : Patent Act 100 Marks

Course objectives:
- To acquaint students with Patent as Intellectual Property Rights.
- To make them aware of General Principles and procedure for getting patent.

Course Contents:

Unit-1 Introduction to Patents

1.1. Overview
1.2. Historical Development
1.3. Concepts:
   1.3.1. Novelty
   1.3.2. Utility
   1.3.3.

Unit-2 Patentable Subject-matter

2.2. Pharmaceutical Products and Process and Patent Protection
2.3. Software Patents
2.4. Business Method
2.5. Protection of Plant Varieties and Farmers’ Rights Act, 2001
2.6. Patenting of Micro-organism

Unit-3 Procedure of Obtaining of Patents

3.2. Specification:
   3.2.1. Provisional
   3.2.2. Complete
3.3. Disclosure Aspects
3.4. Claims:
   3.4.1. Principal
   3.4.2. Dependant
   3.4.3. Omnibus
3.5. Examination of Application
3.6. Opposition of Application  
3.7. Sealing of Patents  

Unit-4 Working of Patents – Compulsory License  
4.1. Commercialization of Inventions:  
4.1.1. License - Terms of License Agreement  
4.1.2. Assignments of Patents  
4.2. Revocation of Patents  

Unit-5 Infringement  
5.1. What is Infringement?  
5.1.1. How is Infringement determined?  
5.1.2. Who is an Infringer?  
5.1.3. Direct, Contributory and Induced  
5.2. Defences of Infringement:  
5.2.1. Research Exemption  
5.2.2. Invalidity  
5.2.3. Misuse  
5.2.4. Failure to mark  
5.2.5. Laches and Estoppel and first sale doctrine  

References:  
2. Terrell on Patent, 2000  
10. Sookman, Computer Law, 1996  
Paper -3 : Copyrights, Neighbouring Rights and Industrial Designs. 80+20 =100

Course objectives:
- To acquaint students with Copyright as Intellectual Property Rights.
- To make them aware of General Principles and procedure for getting Copyright.

Course Contents:

**Unit-1 Introduction to Copyright**

1.1. Overview
1.2. Concepts:
   1.2.1. Idea- Expression Dichotomy
   1.2.2. Originality
   1.2.3. Fixation

**Unit-2 Works protected under Copyright Law**

2.1. Literary Works including Computer Software
2.2. Dramatic Works
2.3. Musical Works
2.4. Artistic Works
2.5. Sound Recordings
2.6. Cinematography Films

**Unit-3 Authorship and Ownership**

3.1. Author
3.2. Contract of Service-work for hire
3.3. Joint Authorship

**Unit-4 Rights conferred on Copyright Owners**

4.1. To reproduce
4.2. To communicate work in the public
4.3. To issue copies to the public
4.4. To make any adaption to the work
4.5. To include any cinematography work
4.6. To assign and license
4.7. Moral Rights

Unit-5 Related Rights

5.1. Performers Rights
5.2. Producer of Phonograms Rights
5.3. Broadcasting Rights

Unit-6 Need for Protection of Industrial Designs

6.1. Introduction
6.2. Justification for Protecting Design

Unit-7 Subject Matter of Protection and Requirements

7.1. Copyright on Registered Design
7.2. Industrial and International Exhibition.

Unit-8 The Designs Act, 2000

8.1. Procedure for obtaining Design Protection
8.2. Revocation, Infringement and Remedies

Unit-9 The Semiconductor Integrated Circuits Lay-out Design Act, 2000

9.1. Conditions and Procedure for Registration
9.2. Duration and Effect of Registration

Unit-10 Assignment and Transmission and Use of Lay-out Design

10.1. Assignability and Transmissibility of Registered Lay-out Design
10.2. Registration of Assignments and Transmissions
10.3. Registered Users
10.4. Rights of Registered Users to take proceedings against Infringement
10.5. Offences and Penalties for Infringement

References:

1. Whale on Copyright, 1996
Saurashtra University, Rajkot

Faculty of Law

<table>
<thead>
<tr>
<th>Name of Course</th>
<th>Semester</th>
<th>Core/Elective/Auxiliary/Practical/Project</th>
<th>Course/Paper Code</th>
<th>Course/Paper Title</th>
<th>Credit</th>
<th>Internal Marks</th>
<th>External Marks</th>
<th>Practical/Viva Exam Marks</th>
<th>External Exam Time Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIPR</td>
<td>00</td>
<td>Core</td>
<td>1604000504000400</td>
<td>Trademarks Act</td>
<td>3</td>
<td>00</td>
<td>100</td>
<td>-</td>
<td>Three Hours</td>
</tr>
</tbody>
</table>

Paper 4. Trademarks Act 100 Marks

Course objectives:
- To acquaint students with Trademarks as Intellectual Property Rights.
- To make them aware of General Principles and procedure for getting Trademarks.

Course Contents:

Unit-1 An Introduction to Trademarks

1.1. Historical development of the concepts of trademark and trademark law - national and International – Introduction to Trademarks
1.2. Need for Protection of Trademarks
1.3. Kinds of Trademarks
1.4. International Legal Instruments on Trademarks
1.5. Well known Trademarks

Unit-2 Registration of Trademarks

2.1. Grounds of refusal of registration:
   2.1.1. Absolute Grounds
   2.1.2. Relative Grounds
2.2. Procedure for Registration of Trademarks
   2.2.1. Application- Intent to use
   2.2.2. Opposition
   2.2.3. Registration

Unit-3 Rights of Registered Trademark Owners

3.1. Assignment and Licensing of Trademarks

Unit-4 Infringement of Trademarks

4.1. Passing off
4.2. Defences
4.3. Remedies for Infringement and Passing off:
   4.3.1. Civil Remedies
   4.3.2. Criminal Remedies
Unit-5 Geographical Indications

5.1. Concept of Appellations of Origin, Indication of Source and Geographical Indication
5.2. International Convention/Agreements
5.3. The Geographical Indications of Goods (Registration and Protection) Act, 2000
5.4. Procedure for Registration, Duration of Protection and Renewal Infringement, Penalties and Remedies

References:


........
<table>
<thead>
<tr>
<th>No.</th>
<th>Subject</th>
<th>Course Code</th>
<th>Lecture</th>
<th>Paper</th>
<th>Exams</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>General Regime of Intellectual Property Rights</td>
<td>16 04 05 04 01</td>
<td>01 00 00</td>
<td>04 04 04 04 03 00</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Patent Law</td>
<td>16 04 05 04 04 04 04 04 03 00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Copyright, Neighbouring Rights and Industrial Designs.</td>
<td>16 04 05 04 04 04 04 04 03 00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Trademarks Act</td>
<td>16 04 05 04 04 04 04 04 03 00</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>