



GUJARAT TECHNOLOGICAL UNIVERSITY

Bachelor of Engineering
Subject Code: 3160318
Semester – VI
Intellectual Property Rights

Type of course: Open Elective - II

Prerequisite: Basic Engineering principles, Values & Ethics.

Rationale: This subject is designed to introduce fundamental aspects of Intellectual property Rights to students who are going to play a major role in development and management of innovative projects in industries. Subject introduces different aspects of the IPR Acts. It also includes case studies to demonstrate the application of the legal concepts in Science, Engineering, Technology and Creative Design.

Teaching and Examination Scheme:

Teaching Scheme			Credits C	Examination Marks				Total Marks
L	T	P		Theory Marks		Practical Marks		
				ESE (E)	PA (M)	ESE (V)	PA (I)	
3	0	0	3	70	30	-	-	100

Content:

Sr. No.	Content	Total Hrs	% Weightage
1	<p>Introduction to Intellectual Property and IPR: Concept of Property Rights, Intellectual Property Rights (IPR) and its evolution, Importance of Intellectual Property, Need for IPR, Relevance of IPR in today's time, Types of Intellectual Property Rights: Patent, Copyright, Trade Mark, Trade secret, Design, Geographical Indication, Plant Varieties, Industrial Design and IC Layout Design.</p> <p>International Instruments concerning Intellectual Property Rights: Paris Convention-1883, Berne Convention-1886, Madrid system, Hague Agreement, Universal Copyright Convention-1952, Rome Convention-1961, WIPO Convention-1967, Patent Co-operation Treaty-1970, Geneva Convention-1971, Trademark Law Treaty-1994, TRIPS Agreement-1994, World Trade Organization-1995.</p> <p>National IPR policy 2016: Vision Statement, Mission Statement, Objectives, Salient Features, IPR Administration system in India, Government of India Schemes in IPR and steps towards promoting IPR in India.</p>	09	20%



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2	<p>Patent & Filing Process: Introduction, Patent, Types of patents, Patent History in India, Conceptual Principles of Patent Law in India, The process of obtaining patent, Obtaining patent in India: Process & filing steps, Specification of patent and its format, Filing process under Patent Cooperation and Treaty Process (PCT), Procedure for grant of patent, Rights Grant to Patentee, Patent Search Database and Register of Patents, Patent Infringement scenario, Transfer of Patent Rights, Infringement of Patent Rights, Remedies, Patent Agents, Surrenders of Patents, Challenges in Patents.</p> <p>Case Study: A famous case when Google was sued for patent infringement, Yahoo sued Facebook for patent infringement, Bajaj vs TVS Motor patent issues, Novartis in India, Apple v/s Samsung case</p>	09	20%
3	<p>Copyrights and Registration : Introduction, Copyright, Meaning of Publication, Evolution of Copyright legislation in India, Objectives of Copyright law, Fundamental Principles of Copyright law, Requirements of Copyright, Work protectable under Copyrights, Authorship and Ownership, Registration of Copyrights, Rights for Authors/Owner, Rights of Broadcasting organizers and Performers, Term of Copyright, Infringement of Copyright, Acts not considered in Copyright Infringement, Fair deal/ Fair use of copyrights, Remedies of Infringements, Internet & Copyright issues.</p> <p>Case Study: Delhi University photocopy case, Copyright case of Napster and Grokster, Google Library Project.</p>	08	15%
4	<p>Trademarks, Trade Secrets and Registration Trademarks: Introduction, Origin of Trademark system in India, Legislative and Administrative framework of Trademark law in India, Philosophy and Functions of Trademark, Trademark & its Types, Distinctiveness & Trademarks, Condition for Trademark Registration, Registration of Trademark, Procedure for Trademark Registration in India, Term of Trademark, Rights granted by Registration of Trademarks, Infringement of Trademarks, Acts of Trademark Infringement and Remedies. Case Study: Paypal and Paytm Trademark Dispute, Trademark mismanagement by Cadbury's, L'Oreal Trademark Dispute. Trade Secrets: Introduction, Fundamental concepts of Confidential Information, Concepts Relating to Trade Secrets, Protection of Trade Secrets, Patents & Trade Secrets, Misappropriation of Trade Secrets, Remedies for misappropriation of Trade Secrets. Case Study: Theft of Confidential information at TAFE, Epic Systems vs. TCS.</p>	09	20%



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5	Geographical Indication: Definition and Understanding concepts of Geographical Indication (G.I.), Historical perspective of G.I. in India, Benefits of G.I., Procedure and duration of registration, Advantages and disadvantages of G.I Protection Case Study: Case of Tirupati Laddu, G.I. for Kashmiri Saffron, G.I. for Gir Kesar Mangoes Industrial Design: Introduction to Industrial Design, Registration of Design, Copyrights in Registered Design, Conditions and Procedure for Registration of Industrial Design, Term of Registered Design, Infringement of Industrial Design, Remedies of Infringement in Industrial design, Hague Agreement Case Study: TAFE Ltd. Tractor case, British Leyland vs, Armstrong, Bharat Glass vs, Gopal Glass works Ltd. Plant Variety Protection: Introduction, meaning, Benefit sharing and farmers' rights, Procedure for registration, effect of Registration, Term of protection.	10	25%
	Total	45	100

Suggested Specification table with Marks (Theory):

Distribution of Theory Marks					
R Level	U Level	A Level	N Level	E Level	C Level
30%	30%	30%	10%	-	-

Legends: R: Remembrance; U: Understanding; A: Application, N: Analyze and E: Evaluate C: Create and above Levels (Revised Bloom's Taxonomy)

Note: This specification table shall be treated as a general guideline for students and teachers. The actual distribution of marks in the question paper may vary slightly from the above table.

Reference Books:

1. Nithyananda, K V. (2019). Intellectual Property Rights: Protection and Management. India, IN: Cengage Learning India Private Limited.
2. Neeraj P., & Khushdeep D. (2014). Intellectual Property Rights. India, IN: PHI learning Private Limited.
3. World Intellectual Property Organisation. (2004). WIPO Intellectual property Handbook.
4. Patent, Copyright & Trademark, 9th Edition, Attorney Richard Stim, Nolo Publications.
5. Subramanian N., & Sundararaman M. (2018). Intellectual Property Rights – An Overview.

Course Outcomes:

At the end of this course students will be able to



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Sr. No.	CO statement	Marks % weightage
CO-1	Describe Intellectual Property Rights, IPR Conventions & Treaties and National IPR Policy 2016 of India.	20%
CO-2	Explain Patent, Patent filing process & steps and Patent Infringement.	20%
CO-3	Illustrate Copyright, Registration of Copyrights and Copyrights Infringement.	15%
CO-4	Describe Trademark, Trademark, it's Registration and Infringement.	20%
CO-5	Understand the other forms of IP like Geographical Indication, Industrial Design and Plant variety protection.	25%

List of Open Source Software/learning website:

1. World Intellectual Property Organization (<https://www.wipo.int/about-ip/en/>)
2. Cell for IPR Promotion and Management (<http://cipam.gov.in/>)
3. Office of the Controller General of Patents, Designs & Trademarks (<http://www.ipindia.nic.in/>)