

Semester-wise Subject Distribution

FIRST SEMESTER

Sr. No	Course Code	Course Name	Total Credits	Continuous Assessment	Term End Exam	Full Marks
1.	LLM101	COMPARATIVE PUBLIC LAW/SYSTEMS OF GOVERNANCE	3	50	50	100
2.	LLM102	RESEARCH METHODS AND LEGAL WRITING	3	50	50	100
3.	LLMB103/LLMI103	SPECIALIZATION –I	2	50	50	100
4	LLMB104/LLMI104	SPECIALIZATION -II	2	50	50	100
5	LLMB105/LLMI105	SPECIALIZATION -III	2	50	50	100

SECOND SEMESTER

Sr. No	Course Code	Course Name	Total Credits	Continuous Assessment	Term End Exam	Full Marks
1	LLM201	LAW AND JUSTICE IN A GLOBALIZING WORLD	3	50	50	100
2	LLMB202/LLMI202	SPECIALIZATION –IV	2	50	50	100
3	LLMB203/LLMI203	SPECIALIZATION –V	2	50	50	100
4	LLMB204/LLMI204	SPECIALIZATION-VI	2	50	50	100
5	LLMB205/LLMI205	DISSERTATION	3	Marking will be done based on seminar, dissertation & viva voice.		200

SPECIALIZATION PAPERS

Sl.No		CODE	BUSINESS LAW	IPR
1	SPECIALIZATION – I	LLMB103/LLMI103	COMPANY LAW: CORPORATE GOVERNANCE AND CORPORATE CRIMES	LAW OF COPYRIGHT&DESIGNS.
2	SPECIALIZATION – II	LLMB104/LLMI104	LAWS ON SECURITIES AND FINANCIAL MARKETS	TRADE MARK AND GEOGRAPHICAL INDICATIONS

3	SPECIALIZATION – III	LLMB105/LLMI105	BANKING AND INSURANCE LAW	PATENT AND INTEGRATED CIRCUIT
4	SPECIALIZATION – IV	LLMB202/LLMI202	INTERNATIONAL TRADE LAW	INTERNATIONAL TRADE LAW
5	SPECIALIZATION – V	LLMB203/LLMI203	COMPETITION LAW & MERGER AND ACQUISITION	IP VALUATION AND MANAGEMENT
6	SPECIALIZATION- VI	LLMB204/LLMI204	LABOUR/EMPLOYMENT LAW & CORPORATE SOCIAL RESPONSIBILITY	PROTECTION OF PLANT VARIETIES & TRADITIONAL KNOWLEDGE

COMPULSORY PAPERS

LLM 101- COMPARATIVE PUBLIC LAW/SYSTEMS OF GOVERNANCE

MODULE-I Concept of Constitution

Meaning and idea of Constitution, Nature, Scope and Goal Constitution as Supreme law Making of Constitution: UK, U.S.A. and India

MODULE-II Forms of Government:

Unitary and Federal-salient features of both Federal Government : USA, India, and Australia Unitary Government: UK

MODULE-III Constitutional law-a branch of public law Political parties and political system: USA, U.K., India Parliament and Congress: USA, U.K, India - Structure, Composition, Function and Power.

MODULE-IV Judicial review and exception to judicial review:

USA and India Jurisdiction: USA, India and Canada Original Jurisdiction Advisory Jurisdiction. The Doctrine of state action: USA, India Amend ability of the Constitution Doctrine of “Basic Structure” Theory of “Implied Limitations” on amending power Difficulties of study at world level

Suggested Readings:

- D.D. Basu, Comparative Constitutional Law (2nd ed., Wadhwa Nagpur).
- David Strauss, The Living Constitution (Oxford University Press, 2010)
- M.V. Pylee, Constitution of the World (Universal, 2006)
- S.N Ray, Judicial Review and Fundamental Rights (Eastern Law House, 1974).
- Mahendra P. Singh, Comparative Constitutional Law (Eastern Book Company, 1989)

LLM 102 RESEARCH METHODS AND LEGAL WRITING

MODULE-I Research

- a. What is research ? Nature , scope and objective of research methodology.
- b. Legal research – Meaning , scope and purpose, relation between law and Society.
- c. Types/kinds : doctrinal and non- doctrinal(empirical), applied and fundamental,
- d. library research, field research and laboratory research, analytical, descriptive,
- e. conceptual; participatory and non-participatory; comparative, historical, statistical, critical , socio-legal, mono disciplinary and trans disciplinary ; quasi disciplinary(multi-disciplinary) research; quantitative and qualitative,
- f. Research for legal reform.

MODULE-II Research methods

- a. Research design
- b. Various steps in research : research process
- c. Research problem : Identification and formulation
- d. Hypothesis
- e. Tools and techniques for collection of data: Primary and secondary Sources. Literature review. Observation method. Questionnaire. Interview. Case study. Sampling. Jurimetrics analysis and interpretation of data.
- f. Preparation of research report and writing of research report.
- g. Ethical and legal issues : plagiarism and copyright

MODULE-III Data Processing Report Writing

- a. Data analysis and interpretation
- b. Report writing
- c. Supervision
- d. Guidelines for researchers
- e. Research ethics

MODULE-IV Legal Writing

- a. Structure and essentials of legal writing: organization of legal materials.
- b. Framing of write up : research questions, title, identifying relevant area of laws, identifying literature and case laws, analysis, discussion, Recommendations and conclusion.
- c. Kinds of legal writing : informative, persuasive;

- a. writing for individual purposes; writing for academic purpose; writing for court purposes:
- b. Briefs , complaints etc. writing for publication : reviews, articles, books etc.
- c. Judicial writing.
- d. Tools and techniques for reference in research paper/thesis :
 - a. Citation and footnoting
 - b. Editing and proof reading
 - c. Dissertation/ thesis writing.

Suggested Readings

1. C.R. Kothari, Research Methodology: Methods and Techniques (New Delhi: Wiley Eastern Ltd., 1985)
2. S. K. Verma and Afzal Vani, Legal Research and Methodology, ILI, New Delhi Selltiz, Jahoda et.al., Research Methods in Social Relations (Holt, Rinehart and Winston, New York, 1964).
3. Vijay K. Gupta, Decision Making In The Supreme Court of India (A Jurimetric Study) – Alternatives in Judicial Research (Delhi : Kaveri Books, 1995).
4. Bruce L. Berg, Qualitative Research Methods for the Social Sciences (London, Allyn and Bacon, 2001).

LLMB103: SPECIALIZATION –I- COMPANY LAW: CORPORATE GOVERNANCE AND CORPORATE CRIMES

MODULE-I Introduction to corporate Governance

- a. Need and scope
- b. Corporate governance vs Public Governance
- c. Evolution of Corporate governance
- d. Principles of corporate governance OECD principles
- e. Models of corporate governance resolutions and its kinds

MODULE-II Legislative Framework of Corporate Governance in India

- a. Companies Act
- b. SEBI
- c. Listing Agreement

MODULE-III Board of Directors

- a. **Directors-** Introduction, Types, Duties, responsibilities, Independence.
- b. Board Composition, Board Charter, Board committees
- c.

MODULE-IV Corporate Governance and shareholders Rights

- a. Rights, Challenges
- b. Role of Institutional investors

MODULE-V Corporate Governance and stake holders

- a. Employees
- b. Customers
- c. Creditors
- d. Community
- e. Government
- f. Institutional Investors

MODULE-VI Risk Management and Internal Control

- a. Risk and its classification
- b. Risk management and oversight function
- c. Enterprise risk management
- d. Internal control
- e. Disclosures

MODULE-VII Corporate Crime

- a. Development of Corporate Crime
- b. Impact of Industrial Revolution and advancement of technologies and scientific development on corporate crimes
- c. Nature, Extent and consequences of corporate corruption
- d. Theories of Corporate Criminal Liability : Theory of Vicarious Liability, Identification Theory, Aggregation Theory

Suggested Readings:

1. Saleem Sheikh & William Rees, Corporate Governance & Corporate Control, Cavendish Publishing Ltd., 1995
2. Taxmann, Companies Act 2013 3
3. Taxmann, A Comparative Study of Companies Act 2013 and Companies Act 1956
4. Lexis Nexis, Corporate Laws 2013 (Palmtop Edition)

LL.M I 103 – SPECIALISATION I LAW OF COPYRIGHTS & DESIGN

MODULE 1 – Introduction

- a. Evolution of Copyright Law in India
- b. Nature and Scope of Copyright
- c. Pre-requisites for Copyright
- d. Copyright and its relationship with other IPRs

International Conventions and Treaties

- a. Berne Convention for the Protection of Literary and Artistic Works, 1883
- b. Universal Copyright Convention, 1952
- c. TRIPS Agreement, 1994
- d. WIPO Copyright Treaty
- e. International Copyright Order, 1999

MODULE II - Subject Matter of Copyright

- a. Work in which Copyright Subsists
- b. Authorship vis- a vis Ownership
- c. Copyrights: Economic and Moral Rights
- d. Duration of Copyright
- e. Copyright Issues in Digital Environment
- f. Assignment and Licensing

MODULE III- Limitations, Infringement & Remedies of Copyright

- a. Limitation and Exceptions of Copyright
- b. Infringement & Remedies

MODULE IV - Neighboring Rights

- a. Origin and Development
- b. Rationale for Protection
- c. Copyright vis-a vis Neighboring rights

MODULE V - Designs

- a. Objectives of Design Protection
- b. Criteria for protection
- c. Grounds of refusal
- d. Rights and Ownership

- e. Infringement
- f. Overlap between Copyright and Designs

Suggested Readings:

1. Gopalakrishnan, N. S. & Agitha T. G, Principles of Intellectual Property, Eastern Book Company, 2009
2. Nimmer on Copyright Law, LexisNexis, 2007 16.
3. Nimmer, Copyright Illuminated, Kluwer, 2008
4. Cornish, Graham P., Copyright: Interpreting the Law for Libraries, Archives and Information Service, Facet Publishing, London, 2009
5. P. Narayanan, Copyright and Industrial Designs, Third Edition, Eastern Law House, New Delhi, 2007
6. Ashwani Kumar Bansal, Design Law, Universal Law Publishing Company, 2012.

SPECIALIZATION II - LMB 104 – LAWS ON SECURITIES AND FINANCIAL MARKETS

MODULE-I

- a. Public Issue of Shares : (i) Prospectus (ii) Remedies for misrepresentation (iii) SEBI and Stock Exchange guidelines
- b. Share Capital (i) Nature and Kind of Shares (ii) Transfer, Transmission, Surrender and forfeiture of Shares (iii) Purchase by Company of its own shares (iv) Issue of shares at premium and discount (v) SEBI Guidelines.
- c. Shareholders' Rights (Various rights of shareholders and variation of shareholders rights. (2). Debentures; Difference between Share and Debentures; Kinds of Debenture; Remedies of Debenture Holder; Company Charges.

MODULE-II

- (1). Insider Trading; SEBI's Guidelines on Insider Trading (2). Securities and Exchange Board of India (SEBI): Constitution, Powers and Functions

MODULE-III

- (1). Reconstruction, Amalgamation and Take Over: Provisions in Company Law and SEBI Guidelines (2). Auditors: (i) Appointment, powers, duties and removal of auditors (ii) Special Audit (iii) Director Responsibility statement in Board Report (iv) National Advisory Committee on Accounting Standards

Suggested Readings

1. Palmer - Company Law.
2. Ramayya: Guide to the Companies Act, in three volumes, Wadhwa and Company, Nagpur.
3. Avtar Singh: Company Law, Eastern Book Company
4. H.K.Saharay: Principles and Practice of Company Law in India,
5. Prentice Hall of India Private Limited, New Delhi.
6. S.M.Shah: Lectures on Company Law, N.M. Tripathi Private Ltd.
7. Bombay.
8. Chalesworth & Cain: Company Law, Geoffrey Morse,
9. Stevens and Sons, London.
10. L.C.B. Grover: The Principles of Modern Company Law, Stevens

SPECIALIZATION II- LLMI 104 TRADEMARK & GEOGRAPHICAL INDICATIONS

MODULE-I Introduction

- a. Evolution of Trademark in India
- b. International Treaties: i. Paris Convention ii. Madrid Agreement and Protocol iii. NICE Agreement iv. Trademark Law Treaty v. Singapore Law Treaty vi. TRIPS
- d. Kinds of Trademarks: Registered and Unregistered Trademarks, Conventional & Non-Conventional Trademarks, Service Mark, Collective Marks, Certification Marks, Well Known Trademarks

MODULE-II Registration of Trademarks

- a. Pre-requisites
- b. Absolute and Relative Grounds for Refusal of Registration
- c. Concept of Deceptive Similarity and its Applicability in Registration
- d. Procedure for Registration
- e. National and International Registration

MODULE-III Commercial Exploitation of Trademarks and IPAB

- a. Rights of Proprietor
- b. Assignment, Licensing and Transmission of Trademark
- c. IPAB

MODULE-IV Infringement and Passing off

- a. Infringement
- b. Goodwill and Passing off c
- c. Remedies
- d. Trademark Issues in Cyberspace

MODULE V Geographical Indications

- a. Meaning and definition of GI & Goods protected
- b. Procedure for registration
- c. Rights and Nature of Protection, Beneficiaries
- d. Infringement of GI and Remedies Available

Suggested Readings:

1. K C Kailasam and Ramu Vedaraman, Law of Trademarks including International Registration under Madrid Protocol and Geographical Indications, Lexis Nexis, 2013
2. A.K. Bansal, Law of Trademark in India, Thomson & Reuter, 2014
3. Intellectual Property Law, p. Narayanan
4. Geographical Indications – An Introduction, WIPO
5. Law Relating to Intellectual Property Rights by Dr. V. K Ahuja

SPECIALIZATION -III -LLMB105- BANKING AND INSURANCE LAW

MODULE-I The Evaluation of Banking Services and its History in India

- a. History of Banking in India.
- b. Bank nationalization and social control over banking.
- c. Various types of Banks and their functions.
- d. Contract between banker and customer: their rights and duties.
- e. Role and functions of Banking Institutions.

MODULE-II Lending by Banks and Recent Trends of Banking System in India

- a. Advances, Loans and Securities.
- b. Direct, collateral and miscellaneous Securities.
- c. Default and recovery.
- d. Bank Debt Recovery Tribunals.

- e. The Securitization and Reconstruction of Financial Assets and Enforcements of Security Interest Act, 2002 (Definitions, Section 13 – Enforcement of security interest, Section 17 - Right to appeal.)

MODULE-III General Principles of Law of Insurance

- a. Definition, nature and history.
- b. Contract of insurance and principles.
- c. The Risk – commencement, attachment, assignment.
- d. Types of insurances.
- e. Policy and its Legal Status.

MODULE-IV Recent Trends in Insurance

- a. Insurance against third party risks (relevant provisions from Motor Vehicles Act, 1988.)
- b. Liability Insurance.
- c. Consumer Protection and Banking and Insurance Services.
- d. The Insurance Act, 1938 and the Insurance Regulatory & Development Authority Act, (IRDA), 2000.
- e. Miscellaneous Insurance Schemes: New Dimensions (Group Life Insurance, Mediclaim, Sickness).

Suggested readings:

1. Law of Insurance – M.N. Mishra
2. Handbook of Insurance and Allied Laws – C. Rangarajan
3. M.L. Tannan, Tannan’s Banking Law and Practice in India (Eighth Edition-2008), India Law House, New Delhi, 2 volumes.
4. Principles of Banking Law (Third Edition) [ROSS CRANSTON, QC, MP, Centennial Professor of Law, LSE].
5. Seth’s Banking Laws [commentaries on Banking Regulation Act as amended by SARFESI Act 2002 and BRA, amendment act 2007].
6. K.C. Shekhar, Banking Theory and Practice (1998) UBS Publisher Distributors Ltd. New Delhi.
7. Basu, A. Review of Current Banking Theory and Practice (1998) Mac Millan

SPECIALISATION III – LLMI 105 - LAW OF PATENT AND INTEGRATED CIRCUITS

MODULE I- Introduction

- a. Evolution of Patents in India

- b. International Treaties on Patent
- c. Paris Convention
- d. TRIPS
- e. Budapest Treaty
- f. PCT

MODULE II - Patentability and Procedures for Grant of Patents

- a. Patentable and Non Patentable Inventions
- b. Pre-requisites – Novelty, Inventive Step, Industrial Application
- c. Prior Art, Anticipation, & Person Skilled in the Art
- d. Procedures for Filing Application
- d. Specifications – Provisional and Complete Specifications
- e. Priority dates
- f. Pre-Grant and Post Grant Opposition
- g. Grant and sealing of Patents
- h. Rights of Patentee
- i. Term of Patent
- j. Surrender and Revocation of patents
- k. Restoration

MODULE III Limitations, Exceptions & Infringements

- a. Licencing – Voluntary & Non –Voluntary Assignment
- b. Fair Use : Use and acquisition of inventions by Central Government
- c. Parallel Imports ,Claim Interpretations and Constructions
- d. Infringements & Remedies

MODULE IV Patent Authorities, Patent Agents & Emerging Issues

- a. Controller General of Patents
- a. Patent Examiners
- b. Patent Agents
- c. Emerging Issues
- d. Patents & Computer Programs
- e. Business Methods & Utility Patents
- f. Bio-Informatics Patents
- g. Patent and Human Right Issues.

MODULE V Layout Designs and Integrated Circuits

- a. Introduction
- b. Evolution
- c. Justification
- d. The Semiconductor Integrated Circuits Layout-Designs Act, 2000

Suggested Readings:

- 1. Feroz Ali Khader, The Law of Patents-With a Special Focus on Pharmaceuticals in India, LexisNexis, 2nd Edition, 2011
 - 2. Carvalho, TRIPS Regime of Patent Rights, Apen Publishers, 2010
 - 3. Cook, Trevor. Pharmaceuticals Biotechnology and the Law. 2 nd ed, LexisNexis, 2009
 - 4. Gopalakrishnan, N. S. &Agitha T. G, Principles of Intellectual Property, Eastern Book Company, 2009
 - 5. P. Narayanan, Copyright and Industrial Designs, Third Edition, Eastern Law House, New Delhi, 2007
 - 6. Ashwani Kumar Bansal, Design Law, Universal Law Publishing Company, 2012
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SECOND SEMESTER

LLM 201- LAW AND JUSTICE IN A GLOBALIZING WORLD

MODULE-I Globalization Process and its Effects

- a. Concept of Liberalization, Privatization, Globalization, Meaning and Definition of Globalization, nature, scope and limits of globalization, Different kinds
- b. History and evolution of globalization
- c. Causes and consequence of globalization, effect of globalization on economic, social, cultural and political aspects of life in twenty first century.

MODULE-II Globalization and Legal Theory

- a. Jurisprudence, globalization and the discipline of law

- b. Globalization and legal theory, the need for the study of concept of law from a global perspective.
- c. Basic concepts of law in western legal thought. A brief analysis of positivist, normative and realist theories of law in western tradition.
- d. The concept of justice and its relation to law in Western and Indian Legal thought and concept of Dharma as a legal tradition. The relation between law and justice.
- e. Normative Jurisprudence, the western heritage, classical utilitarianism, Benthamite and modified Benthamite utilitarianism.
- f. Theories of Justice Rawls and Pogge.

MODULE-III Policy Issues

- a. Globalization and Democracy.
- b. Rule of Law-economic development-political development
- c. Globalization and Justice
- d. Globalization and Security

MODULE-IV Human Rights In The Context Of Globalization

- a. Human rights theory: Five Perspectives
- b. Human Rights law as universal-criticism and rhetoric or Rights
- c. Human Rights and the challenges-pluralist theories and Sen's challenge
- d. Human Rights and Southern voice-UpendraBaxi.

MODULE-V Harmonization Of Law

- a. Public and Private International Law governance.
- b. Regulation of International banks and money laundering.
- c. Harmonization of private commercial law-lexmercatoria.
- d. Harmonization of Intellectual Property law.
- e. Jurisdictional Issues in the era of globalization.

Suggested Readings:

- Andrew Kuper, Democracy Beyond Borders: Justice and Representations in Global Institutions (OUP, 2006)

- Anthony McGrew, David Held (eds.), *Governing Globalization: Power, Authority and Global Governance* (Polity Press, 2002)
- David Held, *A Globalizing World? Culture, Economics, Politics* (2004).
- Upendra Baxi, *The Future of Human Rights* (OUP, 2002).
- World Commission on Social Dimension of Globalization, *A Fair Globalization: Creating Opportunities for All* (2004).
- William Twining, *General Jurisprudence; Understanding Law from a Legal perspective*, Cambridge, Cambridge University, 2009

SPECIALIZATION –IV- LLMB202& LLMI202- INTERNATIONAL TRADE LAW

MODULE-I The History and Development of International Trade, and Financial Institution

- a. History and development of international trade.
- b. International Monetary Fund (IMF), International Bank
- c. For Reconstruction and Development (IBRD)
- d. International Finance Corporation (IFC), International.
- e. Development Association (IDA), Multilateral Investment Guarantee Agency (MIGA).

MODULE-II WTO and International Trade Law; Regulation of International Trade in India

- a. Multilateral Agreements on Trade in Goods, GATS, TRIPS Agreement.
- b. Doha Round and aftermath, Institutional Structure.
- c. Foreign trade (Development and Regulation) Act, 1992, Foreign Trade Policy,
- d. Foreign Trade Procedures.

MODULE-III International Sale and Carriage of Goods and International Investment Laws

- a. United Nations Convention on Contracts for the International Sale of Goods, 1980
- b. Bills of Lading and other Shipping Documents, Documentary Credit and other Payment Arrangements, International Contracts Claims before National Courts

- c. Bilateral Investment Treaties, Multilateral Investment Guarantee Agency, Agreement on Trade-Related Investment Measures, Multilateral Agreement on Investment.

MODULE-IV Settlement of International Trade Disputes

- a. Consultations, Panel and appellate reviews, Good offices,
- b. conciliation and mediation; Arbitration
- c. Compliance and enforcement.

Suggested Readings:

1. Schnitzer, Simone; Understanding International Trade Law; Universal Publication
2. Kaul, A. K.; Guide to the WTO and GATT: Economics, Law and Politics; Kluwer Law International
3. Goyal, Arun; WTO in the new Millennium: Commentary, Case Law, Legal Texts;
4. MVIRDC World Trade Centre
5. Carr, Indira; International Trade Law; Cavendish Publishing House
6. Rao, M. B; and Guru, Manjula; WTO and International Trade; Vikas Publishing House

SPECIALIZATION –V- LLMB203- COMPETITION LAW & MERGER AND ACQUISITION

MODULE-I **Competition: An Introduction** - Definition of Competition - Definition of Competition Law - Objectives of Competition Law 2. History of Competition Law (USA, UK, Europe) Relevant provisions of Sherman's Act - Indian scenario with an overview of MRTP Act, 1969 - Raghavan Committee Report 3. International co-operation for competition - WTO agreements and the Act

MODULE-II **Anti-competitive Agreement** - Appreciable adverse effect - Horizontal and Vertical agreements - Effects doctrine 2. Prohibition of anti-competitive agreements - Concerted practices and parallel behaviour - Cartel and Cartelisation - Bid rigging and collusive bidding - Tie-in-arrangements - Exclusive supply agreement - Resale price maintenance agreement 3. Abuse of Dominant Position - Relevant market - Predatory behaviour - Predatory pricing - Discriminatory practices - Relevant market

MODULE-III **Combination** - Value of Assets - Turnover - Acquisition – Conglomeration
Joint Venture - Merger and Amalgamation - Notification

Competition Commission of India - Establishment and composition -
Duties - Procedure for inquiry - Powers - Competition fund
Competition Advocacy - Competition Policy

MODULE-IV Modern Dimensions of Competition Law

- a. WTO and its impact on Competition Laws with reference to UNCTAD
- b. International enforcement and judicial assistance
- c. Applicability of competition law into agricultural sector
- d. Dumping
- e. State aid
- f. Recession

MODULE-V Merger & Acquisition

- a. Introduction
- b. History of Mergers
- c. Concept
- d. Types of Mergers
- e. Purpose of Merger and Acquisition
- f. Role of Agencies
- g. Legal Provisions
- h. Alternatives to Mergers and Acquisitions

Suggested Readings:

1. Dhall .Vinod, Competition Law Today: Concept Issues and Law in Practice, Oxford University Press, 2007
2. Mittal D.P., Taxmann's Competition Law and Practice, 3rd Edition , 2007.
3. Universal Guide to Competition Law in India, Universal Law Publishing Company, New Delhi. 2003
4. Ramappa. T., Competition Law in India- Policy, Issues and Development Oxford University Press, 3rd Edition, 2013
5. Aditi P Talati, Nahar. S. Mahala, Competition Act, 2002: Law, Practice and Procedure, Commercial Law Publishers, 2006

SPECIALISATION IV – LLMI203 - IP VALUATION & MANAGEMENT

MODULE I Introduction to IP Valuation

- a. Why do we need IP Valuation?
- b. Various Methods for IP Valuation
- c. Cost Based Methods
- d. Market Based Methods
- e. Income Based Methods
- f. Options Based Methods
- g. Qualitative Valuation
- h. When to use which Method?
- i. Case Studies

MODULE II - IP Management

- a. Introduction to IP Management
- b. Value Chain and Framework for IP Management
- c. Strategies for invention and new product development
- d. Strategic Considerations for IP Management

MODULE III - IP Licensing

- a. Basic Concepts
- b. How to Draft an IP License Agreement
- c. How to Draft Grant of Rights Clause
- d. Licensing Issues with Specific IPRs
- e. How to Negotiate the Appropriate Compensation in IP Licence
- f. How to Draft Obligation of Parties Clause
- g. How Draft “Improvements, Enhancements and Modifications”
 Clause
- h. How to Draft Term and Termination Clause
- i. How to Draft Conflict Resolution Clause
- j. How to Draft Other Common Clauses

Suggested Readings:

1. IP valuation and Strategies – WIPO/IP/SIN/99/13
2. Importance of assessing the value of IP – WIPO/IP/BJ/96/3
3. Ravi M. Kishore, *Financial Management*, Taxman: Delhi, 2004. Chapter 12 Pp.397-404, Chapter 17 Pp. 633-638, Chapter 19 Pp. 776-778, Chapter 30, Pp.1154-1166.
4. Parameters of valuation technique - WIPO/IP/BJ/96/8

5. IP Exploitation and Valuation ARB/LIC/CAI/98/4

SPECIALIZATION VI – LLMB204 LABOUR EMPLOYMENT LAW & CORPORATE SOCIAL RESPONSIBILITY

MODULE-I Industrial relations

- a. Concept and meaning; collective bargaining – Comparative position in India, USA & UK; Role of ILO in promoting collective bargaining; The New Economic Policy and its impact on Management relations in India.
- b. Relevant provisions of
- c. Industrial Disputes Act 1947
- d. Industrial Employment (Standing Orders) Act, 1946.

MODULE-II Freedom of Association

- a. Constitutional and international norms – Right of unorganized labour to form unions – History of unionism in India – Globalisation, privatization and its impact on the working of the Trade Unions.
- b. Trade Unions Act, 1926

MODULE-III Laws relating to Welfare, Health & Safety of Workers

- a. Need for social security protection of workers
- b. Objectives – formal and informal sectors – Meaning of contract labour; Retirement benefits; Provisions relating to Hazardous Process; Employment of women and young workers.
- c. Prohibition on employment of contract labour – welfare & health of contract labour.
- d. The Employees Compensation Act, 1923
- e. The Factories Act, 1948
- f. The Employees State Insurance Act, 1948
- g. The Maternity Benefit Act, 1961
- h. The Unorganized Workers Social Security Act, 2008
- i. The Employees provident fund and Miscellaneous Provisions Act, 1952
- j. The Payment of Gratuity Act, 1972
- k. Contract labour (Regulation and Abolition) Act 1970

MODULE-IV Employment laws

- a. Concept of Wages; generally Wage Theories; Need and scope of Minimum Wage; fair wage and living wage; Fixation of minimum wage Increments. Terms of employment and conditions of service.
- b. The Payment of Wages Act, 1936
- c. The Minimum Wages Act 1948
- d. The Payment of Bonus Act 1965

Suggested Readings:

1. B. Pai, Labour Law in India (2001)
2. L.Malik, K.D. Srivastava's Law Relating to Trade Unions and Unfair Labour Practices in India (4th ed., 2002, with Supplement 2003)
3. C. Srivastava (Rev.)Labour Law and Labour Relations : Cases and Materials (Indian Law Institute, 2007)
4. M. Rao, O.P. Malhotra's The law of Industrial Disputes(6th ed., 2004)
5. D. Srivastava, Industrial Employment (Standing Orders) Act, 1946 (4th ed., 1998 with Supplement 2003)

SPECIALIZATION VI – LLMI204 PROTECTION OF PLANT VARIETIES & TRADITIONAL KNOWLEDGE

MODULE-I Introduction

- a. Introduction to Plant Varieties – Law& Science
- b. Evolution of Plant Patents & Plant Varieties Protection
- c. Justification for IP Protection
- d. UPOV
- e. Essential Requirements- NDUS
- f. Kinds of Varieties
- g. Registration of Varieties

MODULE-II Rights, Limitations & Infringement

- a. Exclusive Rights
- b. Breeders' Rights v. Farmers' Rights
- c. Researcher's Rights; Farmers' rights and Rights of Communities
- d. Compulsory Licence
- e. Benefit Sharing f. Infringement & Remedies

MODULE-III Traditional Knowledge (TK)

- a. Meaning, Nature and Characteristics
- b. Need for protection of TK i. Equity Considerations ii. Conservation Motive iii. Preservation of Traditional Practices and Cultures iv. For Indigenous Peoples' Participation in Development Process v. To Facilitate Access vi. For the Conservation of Environment and Management of Bio Diversity
- c. International Initiatives on TK Protection i. Rio Declaration on Environment and Development (1992) ii. The Convention on Biological Diversity, 1992 iii. Other TRIPS Plus initiatives iv. International bodies and Institutions responsible for the Protection of TK

MODULE-IV Traditional Knowledge and IPR

- a. Interface between IPR & TK i. Protection of Traditional Knowledge under the Existing Modes of Intellectual Property and Issues thereof ii. Concepts of Prior Informed Consent (PIC) and Agreement to benefit sharing (ABS)
- b. National Initiatives i. Defensive protection of TK through legislative efforts: Constitutional Provisions, The Biological Diversity Act, 2002; Protection of Plant Varieties and Farmers' Rights Act, 2001; The Patent Amendment Acts 2002 and 2005; The Geographical Indications of Goods (Registration and Protection) Act, 1999 ;The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 etc. ii. TKDL iii. Need for a sui generis protection

Suggested Readings:

1. Elizabeth Verkey, Law of Plant Varieties Protection, Eastern Book Company, 2007