IP750: Intellectual Property Rights in Research and Beyond

Preamble

This course is aimed at familiarizing research students with the nuances of Intellectual Property Rights (IPR) to help them integrate the IPR process in their research activities. This course is primarily meant for making the students capable of identifying their own protectable innovations and realizing the process of taking it from bench to market.

1. Introduction:

This course empowers young doctoral students for working constructively towards creation of intellectual assets and get benefitted economically. Identifying promising innovations at a very later stages of research, diminishes all scopes for protection of Intellectual Property among researchers and makes them vulnerable to illegal infringement.

2. Qualification descriptors for the graduates

Knowledge & Understanding:

1. Should be able to understand the concept of novelty.
2. Should be able to understand the concept of inventiveness.
3. Should be able to understand the concept of industrial applicability.

Skills & Techniques:

1. Should be able to conduct novelty test using online search engines
2. Should be able to judge the inventiveness over the prior art
3. Should be able to foresee industrial applicability of the invention.

Competence:

1. Must be able to read and understand IPR literature
2. Must be able to connect with real world problems of society
3. Must be able to judge originality of a writeup or expression

3. Graduates Attributes

After completion of the course, it is expected that the student will be able to identify the protectable components of the intellectual property in his/her research outcome while preparing the **Plan of Research**. While the student conducts literature review, he/she will be able to identify and consider the latest innovations in the field so that his/her research work should not be mere replication of the existing work. Also, he/she can properly acknowledge the contributions made as prior art to the technology/ knowledge under consideration. Finally, at the end of the course he/she can come up with well-structured approach providing innovative solutions for benefit of the society.

4. Course Outcomes

Examples --

CO1: Graduate shall gain thorough understanding of the scope for protecting his/ her novel creations.

CO2: Graduate shall be able to identify the scope of incorporating practical research within the predefined experimental / research designs.

CO3: Graduate shall be able to critically analyse the inventiveness of his/her work over the prior art available.

CO4: Graduate shall be able to look for IPR protection primarily before the conventional mode of protection like scientific publication.

CO5: Graduate shall be able to take effective decision regarding use of other's intellectual property for conducting his/her research and the ways of making it non infringing.

5. Programme structure

Total Credits: 4

Structure of the curriculum:

Course category	No of courses	Credits per course	Total Credits
I. Elective courses	1	4	4

6. Schedule

Course type	Course title	Lecture (L)	Tutorial (T)	Practical (P)	Contact Hour(CH)	Credits
Elective	IP750: Intellectual Property Rights in Research and Beyond	3	1	0	4	4

7. Mapping of course with Course Outcomes (COs)

Course title	CO1	CO2	CO3	CO4	CO5
IP750: Intellectual Property Rights in Research and Beyond	x	x	x	x	X

8. Evaluation plan:

Evaluation is made through three sessional and one end term test. One of the sessional tests is based on group-based activity meant for testing peer learning and skills for developing own IP thoughts. Rest is written examination having both objective and subjective assessment of understanding.

9. Detailed Syllabus

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L 3 T1 P0 CR4

Units	Topics
Unit-1	Different forms of innovations emanating from the human mind and their protection using different tools of IPR, Basic introduction to Patents, Trademarks, Copyright, Industrial Designs Registrations, Geographical Indications Trade Secrets.
	Territoriality of IPR; International Conventions in IPR; Role of WTO and WIPO.
	Balancing Rights and Responsibilities, Impact of IPR in socio-economic development.
Unit -2	Protection of inventions using patents; Patentability of inventions; Exceptions of certain inventions as non-patentable by law; Benchmarks for patentability of inventions.
	Understanding the Patent system in India based on the Indian, Term of patent, rights and obligations of a patentee; Opposition to the grant of patent applications and post grant oppositions processes.
Unit-3	Geographical Indications Act in India; Process and Documentation needed for GI registration in India; GIs registered in India.
	GI registration of Muga Silk in Assam and exploring other GIs in Assam; management of GI to enhance the economic returns from GIs.
	Enforcement of GI.
	Protection of Traditional Knowledge and development of balanced benefit sharing models.
	Protection of GI in other parts of the world and the system in Europe.
Unit -4	Protection of Industrial Designs in India.
	Indian design Act 2000 and Classification of Industrial Design
	Enforcement of Industrial Designs Registrations.
	Case studies and success stoies of Indian design Protection
	Protection of Industrial Registrations outside India.
Unit-5	Patents Search, research process; Designing research objectives,Searching patents databases for patents relevant to one's own research problem
	Ethics and societal implications of Intellectual Property Rights, opposition to grant of a patent and challenging the validity of a patent.
	Filing patents outside of India.
Unit-6	Copyright and related rights; Copyrightable works; ownership of copyright;
	Licensing of copyright; Registration of copyright.
	Exploiting Fair Use concept in copyright especially in academics and research.
	Infringement of copyright; civil remedies, role of copyright societies.
Unit-7	Approaches to valuation and commercialisation of Intellectual Property Rights, Management of knowledge and Intellectual Property Rights and technology transfer.
	Implications of Intellectual Property Rights in promoting innovations and their commercialization.
	Transacting Patent Rights; Striking commercial deals; Due diligence in patent transactions.
	Working of patents in India; Requirement of working of patents in India,

	Compulsory licence and its implications; Enforcement of Patents against infringers.
Unit-8	What are trade secrets; How trade secrets are to be maintained; How trade secrets are used in trade and businesses.
Unit-9	Discussion on the system in India for protection of new plant varieties in India.
	Comparison with the system followed under the Union of Protection of Plant Varieties (UPOV).

Textbooks:

1. Simran R. Gurnani. Intellectual Property Rights, C. Jamnadas & Co. (2021)
2. Gragham Dutfeild "Intellectual Property, Biogenetic Resources and Traditional Knowledge", EarthScan (2004)
3. Rajashree Chandra, "Knowledge As Property" Oxford India Press (2012)
4. Class Junghans and Adam Levy, "Intellectual Property Management: A guide for Scientists, Engineers, Financers and Managers", Willey (2006).
5. Brigitte Anderson (Ed), "Intellectual Property Rights: Innovation Governance and Institutional Environment", Edward Elgar Publishing Limited (2006)
6. V K Ahuja, "Law Relating to Intellectual Property Rights", Lexis Nexis (2017)

Suggested readings:

7. Inventing the Future: An introduction to Patents for small and medium sized Enterprises; WIPO publication No. 917. URL: www.wipo.int/ebookshop
8. Looking Good: An Introduction to Industrial Designs for Small and Medium sized Enterprises; WIPO publication No.498. URL: www.wipo.int/ebookshop
9. Creative Expression: An Introduction to Copyright and Related Rights for Small and Medium-sized Enterprises; WIPO publication No. 918. URL: www.wipo.int/ebookshop
10. Making a Mark: An Introduction to Trademarks for Small and Medium-sized Enterprises; WIPO publication No. 900. URL: www.wipo.int/ebookshop

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