

BA.LLB (HONS) – VII-SEMESTER

PATENT LAWS AND TECHNOLOGY TRANSFER

COURSE CODE:

Course objective: This course is developed to an extent to assist human intelligence through its enhanced cognitive skills in filing and protecting the Patents for future ready solutions in many areas like Science, Technology, health care, pharmaceuticals, education, agriculture etc. With developing technologies, also emerge various legal regulations and issues pertaining to patents. The main objective of this Course is to integrate Patent law with technology transfer by covering variety of technical, ethical and legal aspects.

Course Outcomes:

1. To understand development of Patent Law and analyse its technicalities
2. To analyse the ethics, regulation and liability aspects of Patent Law regime
3. To analyse the interface of Patent Law with technology transfer
4. To analyse the jurisprudential and territorial aspects of patents
5. To evaluate the usage of patent laws in the as one of the Intellectual Property Rights

UNIT-I: Commercial dealings: ownership, licensing, assignments, employees' inventions, Protection of discoveries, The process of getting a patent in US and India, Patent infringement: Literal infringement and a comparison of UK and US, treatment of non-literal patent infringement, Protection of information technology products and the controversy surrounding software patents, Design patents, The value of patents, Global information technology law and practice

UNIT-II: Internet jurisdiction, regulation of internet marketing, issues in electronic transactions, internet governance, domain name business models and disputes intellectual property challenges for new business models, legal issues raised by cloud computing, as well as net neutrality and telecom regulation, e-Finance: law, compliance and technology challenges, The impact of digital transformation of compliance in financial services on law firms, legal departments in companies, government attorneys, compliance managers, internal and external auditors, and system administrators

UNIT-III: Intellectual property, innovation and development, interplay between intellectual property law, innovation social and economic development, digital and Internet innovations, Patents for cutting-edge technologies such as information technology, biotechnology and green technology, patents for biotech and pharmaceutical inventions, Patents for genetic resources/traditional knowledge and green technologies, IP-related antitrust issues

UNIT-IV: Management and commercialization of intellectual property, Technology transfer and licensing, Commercialization of innovations, IP portfolio management, IP issues in merger and acquisition, IP issues in franchising and outsourcing, IP and standard setting, IP and competition, IP litigation strategies, IP issues in innovation industries such as ISP's liability and safe harbor

UNIT-V: Advanced intellectual property law, the fair use/fair dealing defense in copyright law; possible solutions to the crisis in the entertainment industry, intellectual property protection for fashion, the treatment of standard-essential patents, reverse-payment settlement agreements in the pharmaceutical industry, extralegal intellectual property norms, traditional knowledge, relationship between intellectual property and business strategy

Text Books:

1. Indian Innovators Association, "Patent IPR Licensing- Technology Commercialisation – Innovation Marketing: Guide Book for Researchers, Innovators"
2. Prasad Karhad, "How to Patent an Idea in India: From Idea to Granted Patent in Quickest Time, Saving Costs and Making Money with Your Patented Invention"
3. K.C. Kankanala, "Indian Patent Law and Practice" (Oxford India Paperbacks)