

SHRI HARI EDUCATIONAL TRUST

**ST. ROCK'S DEGREE COLLEGE OF LAW**

(Affiliated to Mumbai University)

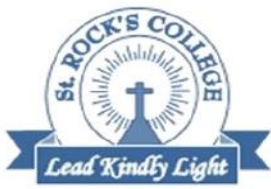
Borivali (W), Mumbai- 400 092. E mail ID: [strockscollegeoflaw@gmail.com](mailto:strockscollegeoflaw@gmail.com)

# Criteria – 1

## Curricular Aspects

### 1.2. Academic Flexibility

**1.2.1. Number of elective/options courses offered by the institution during followed during last five years**




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## 1.2.1. ( 6 ) Syllabus of Intellectual Property Law with the approval of BOS and Academic Council as elective paper

University of Mumbai



No. UG/19 of 2019-20

**CIRCULAR-**

Attention of the Principals of the affiliated Colleges in Humanities Faculty is invited to this office Circulars Nos. (1) UG/107 of 2018-19, dated 24<sup>th</sup> August, 2018 relating to the Manual with the rules and regulations and schemes and procedures of LL.B. (3 years) and (B.L.S., LL.B.) (5 Years) (CBCS) (2) *in Hindi* of 2018-19 dated 21<sup>st</sup> September, 2018 relating to the LL.B. (3 Years) and (B.L.S., LL.B.) (5 Years) (CBCS) (60:40) programmes.

They are hereby informed that the after issued above mentioned circular subsequently was stayed by the Hon'ble High Court for the Academic Year 2018-19 *vide* Order dated 29<sup>th</sup> October, 2018, which was communicated *vide* Circular No. UG/124/2018-19 dated 12<sup>th</sup> November, 2018.

They are informed that the resolution passed by the Board of Deans at its meeting held on 5<sup>th</sup> September, 2018 *vide* item No. 51 have been accepted by the Academic Council at its meeting held on 08<sup>th</sup> September, 2018 *vide* item No. 4.20 for the same.

Thereafter, resolution was passed by the Board of Studies in Law at its meeting held on 11<sup>th</sup> February, 2019 regarding implementation of CBCS system for the Three years LL.B. and Five Years B.L.S., LL.B. programmes from the academic year 2019-20, subsequently taken note by the Academic Council at its meeting held on 15<sup>th</sup> April, 2019 *vide* item No. 8.2 accordingly. (The same is available on the University's website [www.mu.ac.in](http://www.mu.ac.in)).

All the concerned are requested to kindly note the same.

MUMBAI - 400 032  
20<sup>th</sup> May, 2019

To

*(Signature)*  
(Dr. Ajay Deshmukh)  
REGISTRAR

The Principals of the affiliated Colleges and Directors of the recognized Institutions in Humanities Faculty, (Circular No.UG/334 of 2017-18 dated 9<sup>th</sup> January, 2018.)

A.C.8.2/15/04/2019


No. UG/ 19 -A of 2019-20 MUMBAI-400 032 20<sup>th</sup> May, 2019

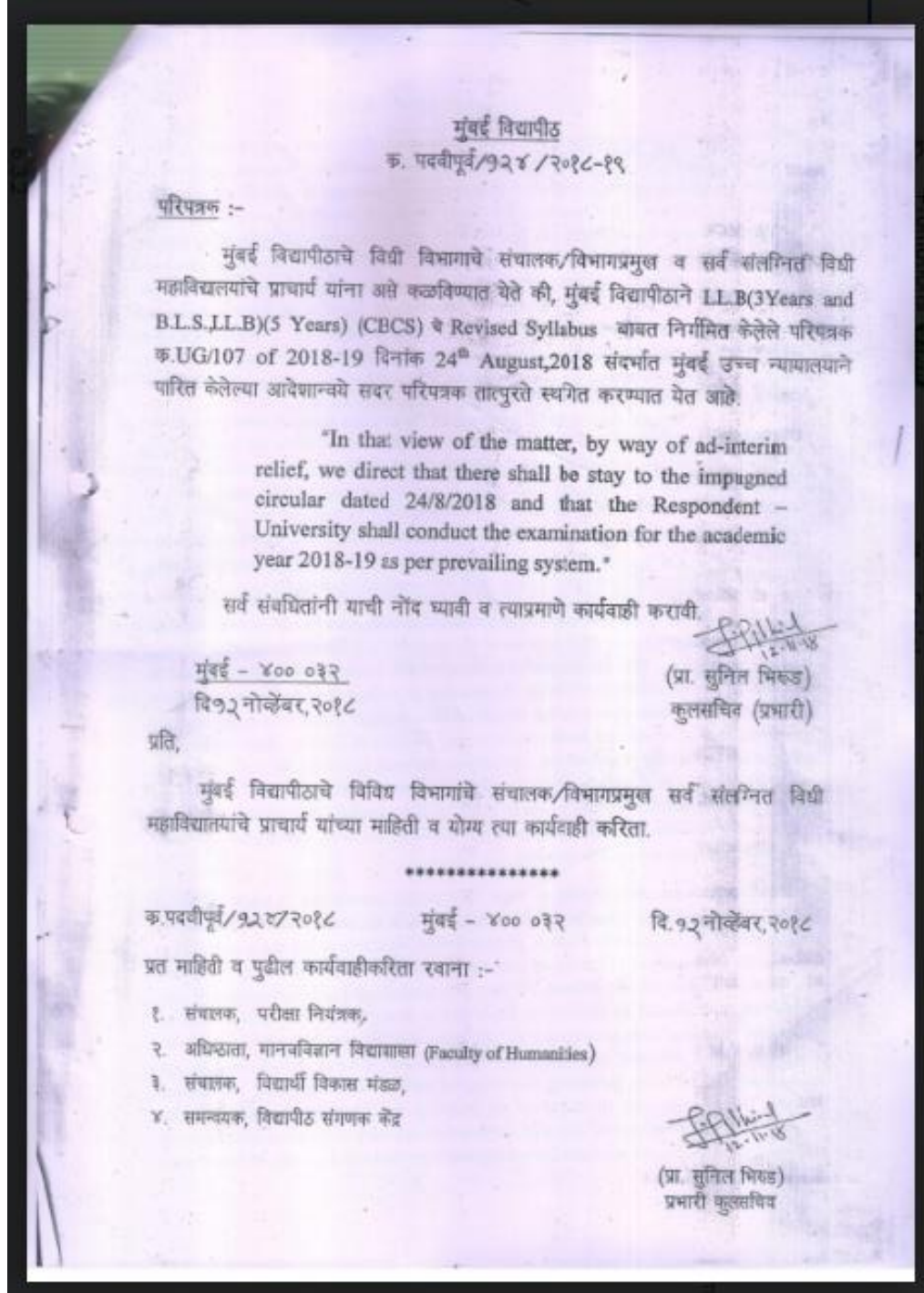
Copy forwarded with Compliments for information to:-

- 1) The Ic Dean, Faculty of Humanities,
- 2) The Chairman, Board of Studies in Law,
- 3) The Director, Board of Examinations and Evaluation,
- 4) The Co-ordinator, University Computerization Centre,

*(Signature)*  
(Dr. Ajay Deshmukh)  
REGISTRAR

*(Signature)*  
IC PRINCIPAL  
ST. ROCKS DEGREE COLLEGE OF LAW  
BORIVALI (WEST),  
MUMBAI- 400 092





Revised

मुंबई विद्यापीठ  
क पदवीपूर्व/११७/२०१८-१९

परिपत्रक :-

प्रशासनिक अधिकाऱ्यांच्या आदेशानुसार मुंबई विद्यापीठाचे विधी विभागाचे संचालक/ विभागप्रमुख सर्व संलग्नित विधी महाविद्यालयांचे प्राचार्य यांना असे सुचित करण्यात येते की, मुंबई विद्यापीठाने निर्गमित केलेले परिपत्रक क्रमांक No.UG/107 of 2018-19 दिनांक 24<sup>th</sup> August, 2018 नुसार राजविषयात येणारा LL.B. (3 Years) and (B.L.S., LL.B.) (5 Years) (CBCS) (60:40) अभ्यासक्रमाच्या शिक्षायांना सन २०१८-१९ (Odd Sem.) मध्ये होणाऱ्या अंतर्गत परिसांचे Project and other Activities ४० गुणांची Internal Assessment महाविद्यालयांस सादर करण्याची मुदत पुढील आदेश मिळेपर्यंत वाढविण्यात येत आहे. याची कृपया नोंव घ्यावी. तसेच सदर बाब या अध्यासक्रमाच्या परिशेस प्रकिष्ठ सर्व विद्यालयांच्या निदर्शनांस आणावी, ही विनंती.

सदर परिपत्रक मुंबई विद्यापीठाच्या ([www.mu.ac.in](http://www.mu.ac.in)) वा संकेत स्थळावर उपलब्ध करण्यात आलेले आहे.

मुंबई - ४०० ०३२  
दि २१ सप्टेंबर, २०१८

Shilpa  
21.9.18  
कुलसचिव (प्रभारी)  
मुंबई विद्यापीठ

प्रति,  
मुंबई विद्यापीठाचे विविध विभागांचे संचालक/ विभागप्रमुख सर्व संलग्नित विधी महाविद्यालयांचे प्राचार्य यांच्या माहिती व योग्य त्या कार्यवाही करिता.

क मुंबई/११७/१९/२०१८ मुंबई - ४०० ०३२ दि २१ सप्टेंबर, २०१८

प्रत माहिती व पुढील कार्यवाहीकरिता रवाना :-

१. संचालक, परिसा व मुक्त्यमान मंडळ, महात्मा ज्योतिबा फुले भवन, मुंबई विद्यापीठ, क्वालिना परिसर, सांताक्रुझ, मुंबई - ४०० ०९८.
२. अधिष्ठाता, मानवविज्ञान विद्याशाळा ( Faculty of Humanities) मुंबई विद्यापीठ फोर्ट, मुंबई - ४०० ०३२

Shilpa  
21.9.18  
कुलसचिव (प्रभारी)  
मुंबई विद्यापीठ  
21/9  
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21/9

Shilpa

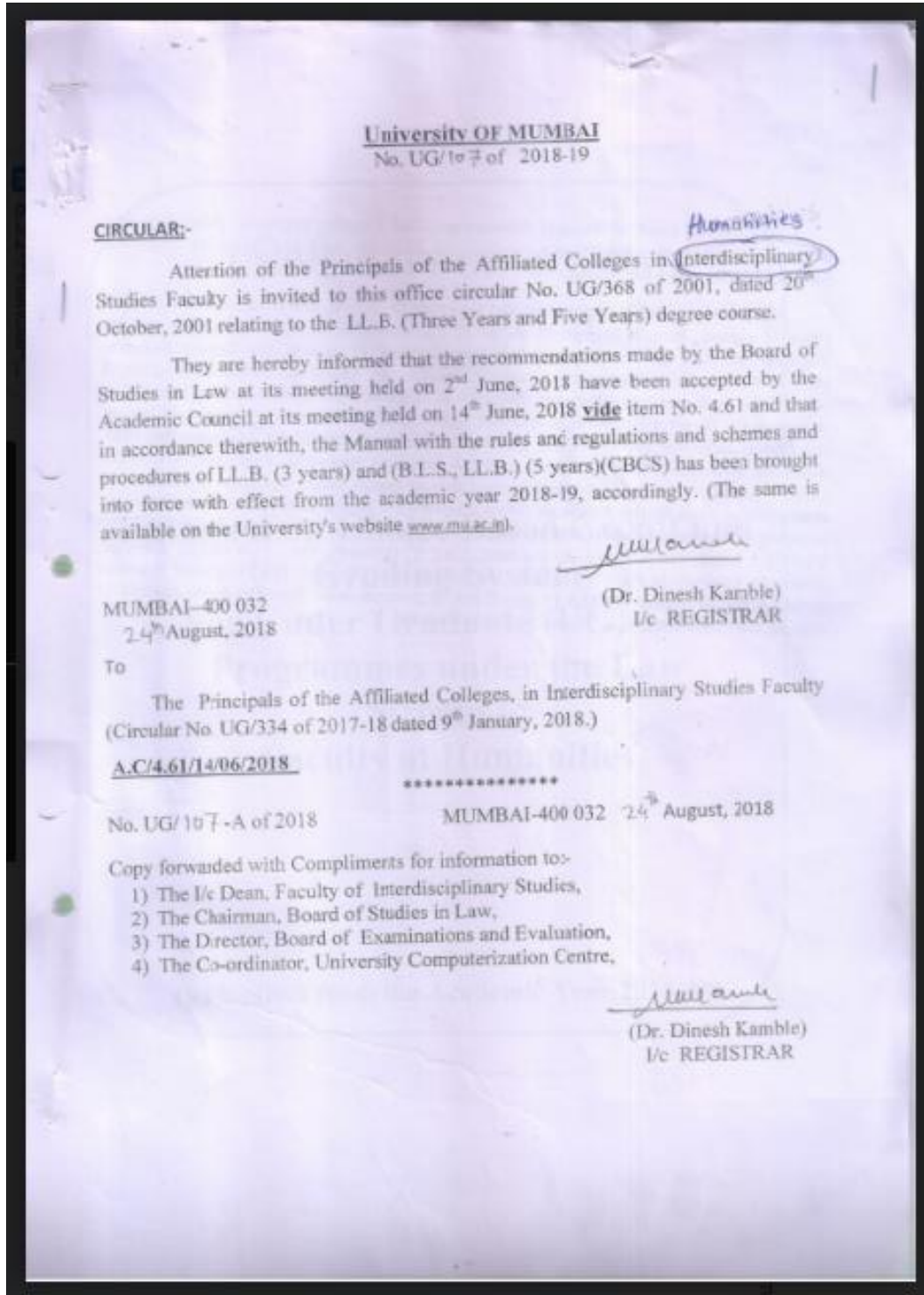




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University OF MUMBAI  
No. UG/107 of 2018-19

CIRCULAR:-

Attention of the Principals of the Affiliated Colleges in Interdisciplinary <sup>Humanities</sup> Studies Faculty is invited to this office circular No. UG/368 of 2001, dated 20<sup>th</sup> October, 2001 relating to the LL.B. (Three Years and Five Years) degree course.

They are hereby informed that the recommendations made by the Board of Studies in Law at its meeting held on 2<sup>nd</sup> June, 2018 have been accepted by the Academic Council at its meeting held on 14<sup>th</sup> June, 2018 vide item No. 4.61 and that in accordance therewith, the Manual with the rules and regulations and schemes and procedures of LL.B. (3 years) and (B.L.S., LL.B.) (5 years)(CBCS) has been brought into force with effect from the academic year 2018-19, accordingly. (The same is available on the University's website [www.mu.ac.in](http://www.mu.ac.in)).

MUMBAI-400 032  
24<sup>th</sup> August, 2018

*[Signature]*  
(Dr. Dinesh Kamble)  
I/c REGISTRAR

To

The Principals of the Affiliated Colleges, in Interdisciplinary Studies Faculty  
(Circular No UG/334 of 2017-18 dated 9<sup>th</sup> January, 2018.)

A.C/4.61/14/06/2018

No. UG/107-A of 2018

MUMBAI-400 032 24<sup>th</sup> August, 2018

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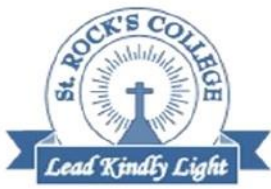
- 1) The I/c Dean, Faculty of Interdisciplinary Studies,
- 2) The Chairman, Board of Studies in Law,
- 3) The Director, Board of Examinations and Evaluation,
- 4) The Co-ordinator, University Computerization Centre,

*[Signature]*  
(Dr. Dinesh Kamble)  
I/c REGISTRAR

*[Signature]*



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**University of Mumbai**

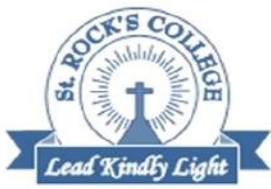
**Manual on Choice Based Credit and Grading System  
For Under Graduate (UG) Law Programmes under the Law  
Stream in Faculty of Humanities with effect from the Academic  
Year 2018-19**

Manual on Semester Based Credit and Grading System implemented  
in  
University of Mumbai  
....., 2018

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**6.3.3 Electives Subjects Group**

Unless and until further changed, modified or amended either on the recommendation of the U.G.C. or Regulatory Authority or the State Government or the University of Mumbai the Elective Group shall comprise of:

**6.3.3 Part-I for Semester IV of the 3 yrs and Semester VIII of the 5 yrs programmes**

- Criminology
- Taxation
- Bankruptcy

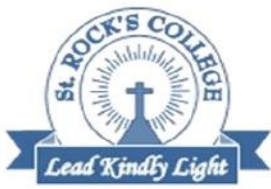
**6.3.3 Part-II for Semester VI of the 3 yrs and Semester X of the 5 yrs programmes**

- Banking Law and Negotiable Instruments Act
- Law of Insurance
- Intellectual Property Law
- Conflict of Law

- Law relating to Women and Children
- Law and Medicine



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**3) INTELLECTUAL PROPERTY LAW**

**4)**

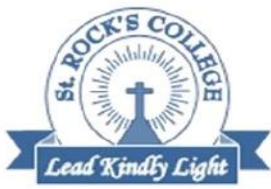
Introductory

- The meaning of Intellectual property
- Competing rationales of the legal regimes for the protection of intellectual property
- The main forms of intellectual property: copyright, trademarks, patents, designs
- The competing rationales for protection of rights in:
  - Copyright
  - Trademarks
  - Patents
  - Designs
  - Trade secrets
  - Other new forms such as plant varieties and geographical indications
- Introduction to the leading international instruments concerning intellectual property rights:



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- the Berne Convention, Rome Convention Universal Copyright Convention, TRIPs Paris Convention
- International Organization relating to IPRS – WIPO, WTO

Select aspects of the law of Copyright in India

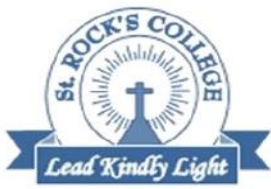
- Historical evolution of the Copyright Act 1957
- Meaning of Copyright
- Copyright in literary, dramatic and musical works
- Copyright in sound records and cinematographic films
- Copyright in computer programmes
- Ownership of copyright
- Assignment of copyright
- Author's special rights
- Notion of infringement
- Criteria of infringement
- Infringement of copyright by films of literary and dramatic works
- Importation and infringement
- Fair use provisions
- Piracy in internet
- Aspects of copyright justice
- Remedies, especially, the possibility of Anton pillar injunctive relief in India

Intellectual Property in Trade Marks

- The rationale of protection of Trade marks as (a) an aspect of commercial and (b) of consumer rights
- Definition and concept of Trade marks
- Registration
- Distinction between Trade mark and property mark
- The doctrine of honest Current User
- The doctrine of deceptive similarity
- Protection of well-known marks
- Passing off and infringement
- Criteria of infringement
- Standards of proof in passing off action



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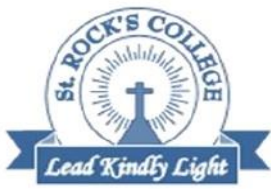
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- The doctrine of deceptive similarity
  - Protection of well-known marks
  - Passing off and infringement
  - Criteria of infringement
  - Standards of proof in passing off action
  - Remedies
- Patents
- Patent Act 1970
  - Concept of Patent
  - Historical view of patents law in India
  - Patentable inventions with special reference to biotechnology products entailing creation of new forms of life
  - Patent protection for computer programmes
  - Process of obtaining a patent: application, examination, opposition and sealing of patents: general introduction
  - Procedure for filing patents: Patent Co-operation Treaty
  - Some grounds for Opposition
  - The problem of limited locus standi to oppose, specially in relation to inventions having potential of ecological and mass disasters
  - Wrongfully obtaining the invention
  - Prior publication or anticipation
  - Obviousness and the lack of inventive step
  - Insufficient description
  - Rights and obligations of a patentee
  - Patents as chose in action



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- Duration of patents ; law and policy considerations
- Use and exercise rights
- Right to secrecy
- The notion of 'abuse' of patent rights
- Compulsory license
- Remedies
- Infringement
- Criteria of infringement
- onus of proof
- Modes of Infringement; the Doctrine of Colourable Variation
- Defenses in suits of Infringement
- Injunctions and related remedies

**Recommended Readings:**

Cornish W.R. – Intellectual Property Patents, Trade Marks, Copyrights and Allied Rights

P. Narayanan – Intellectual Property Law

Wadhera – Intellectual Property Law



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