



Shri Vaishnav Vidyapeeth Vishwavidyalaya

Master of Laws (Business Law) 2021-2023

Credit Based Choice System

2nd YEAR, SEMESTER IV

LLMBE401- PRINCIPLES OF INTELLECTUAL PROPERTY RIGHTS

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY			PRACTICAL	
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLMBE401	DE	PRINCIPLES OF INTELLECTUAL PROPERTY RIGHTS	4	0	0	4	60	20	20	0	0

Legends: L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C - Credit

***Teacher Assessment** shall be based following components: Quiz/Assignment/ Project/Participation in Class, given that no component shall exceed more than 10 marks.

Course Educational Objectives (CEOs): The students will be able to-

- **CEO1:** Designed to provide comprehensive knowledge regarding the general principles of IPR, Concept and Theories, Criticisms of Intellectual Property Rights, International Regime Relating to IPR
- **CEO2:** Aware about current trends in IPR and Govt. steps in fostering IPR
- **CEO3:** Apply statutory provisions to protect form of IPRs.
- **CEO4:** Identify criteria to fit one's own intellectual work in particular form of IPRs.
- **CEO5:** Distinguish and Explain various forms of IPRs

Course Outcomes (Cos): The students will be:

- **CO1:** 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
- **CO2:** Disseminate knowledge on patents, patent regime in India and abroad and registration aspects
- **CO3:** Disseminate knowledge on copyrights and its related rights and registration aspects
- **CO4:** Disseminate knowledge on trademarks and registration aspects
- **CO5:** Disseminate knowledge on Design, Geographical Indication (GI), Plant Variety and Layout Design Protection and their registration aspects



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COURSE CONTENT:

UNIT-I: Introduction to Intellectual Property Rights

1. Concept and Theories
2. Kinds of Intellectual Property Rights
3. Economic analysis of Intellectual Property Rights
4. Need for Private Rights versus Public Interests
5. Advantages and Disadvantages of IPR.
6. International Regime Relating to IPR TRIPS and other Treaties (WIPO, WTO, GATTs)
7. India's New National IP Policy, 2016 – Govt. of India step towards promoting IPR

UNIT-II: Patents

1. Patents - Elements of Patentability: Novelty, Non-Obviousness (Inventive Steps),
2. Industrial Application - Non - Patentable Subject Matter - Registration Procedure, Rights and Duties of Patentee,
3. Assignment and licence,
4. Restoration of lapsed Patents,
5. Surrender and Revocation of Patents,
6. Infringement,
7. Remedies & Penalties - Patent office and Appellate Board

UNIT-III: Copyrights

1. Nature of Copyright - Subject matter of copyright: original literary, dramatic, musical, artistic works; cinematograph films and sound recordings- Registration Procedure,
2. Term of protection,
3. Ownership of copyright,
4. Assignment and licence of copyright – Infringement,
5. Remedies & Penalties
6. Related Rights - Distinction between related rights and copyrights

UNIT-IV: Trademarks

1. Concept of Trademarks - Different kinds of marks (brand names, logos, signatures, symbols, well known marks, certification marks and service marks)
2. Non-Registrable Trademarks
3. Registration of Trademarks
4. Rights of holder and assignment and licensing of marks
5. Infringement,
6. Remedies & Penalties
7. Trademarks registry and appellate board

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UNIT-V: Other Forms of IP

1. Design: meaning and concept of novel and original - Procedure for registration, effect of registration and term of protection
2. Geographical Indication (GI) Geographical indication: meaning, and difference between GI and trademarks - Procedure for registration, effect of registration and term of protection
3. Plant Variety Protection Plant variety protection: meaning and benefit sharing and farmers' rights – Procedure for registration, effect of registration and term of protection
4. Layout Design Protection Layout Design protection: meaning – Procedure for registration, effect of registration and term of protection

References:

Bare Acts:

1. Protection of Plant Varieties & Farmers' Rights (PPVFR) Act, 2001
2. The Copyright Act, 1957
3. The Designs Act, 2000
4. The Geographical Act, 1999
5. The Patents Act, 1970
6. The Semiconductor Integrated Circuits Layout-Design Act, 2000
7. The Trademarks Act, 1999

Books:

1. Ahuja, V.K. (2017). *Law Relating to Intellectual Property Rights*, (3rd Ed.). New Delhi: Lexis Nexis
2. Bhandari, M.K. (2017). *Law Relating to Intellectual Property Rights*, (5th Ed.). New Delhi: Lexis Nexis
3. Mishra, J.P. (2012). *An Introduction to Intellectual Property Rights*, (3rd Ed.). New Delhi: Central Law Publication.
4. Narayanan, P. (2017). *Intellectual Property Law*, (3rd Ed.). New Delhi: Eastern Law House

Case-Reporters:

1. All India Reporter
2. Supreme Court Cases
3. Manupatra Database



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2nd YEAR, SEMESTER IV

LLMBE402- LABOUR AND EMPLOYMENT LAWS

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY			PRACTICAL	
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLMBE402	DE	LABOUR AND EMPLOYMENT LAWS	4	0	0	4	60	20	20	0	0

Legends: L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C - Credit;

***Teacher Assessment** shall be based following components: Quiz/Assignment/ Project/Participation in Class, given that no component shall exceed more than 10 marks.

Course Educational Objectives (CEOs): The student will be able to-

- **CEO1:** Know the concept and meaning of Industrial Relation.
- **CEO2:** Learn the salient features of welfare and wage Legislations.
- **CEO3:** Learn the laws relating to Industrial Relations, Social Security and Working conditions.
- **CEO4:** Understand the laws related to working conditions in different settings.
- **CEO5:** Learn the salient features of welfare and wage Legislations also to integrate the knowledge of Labour Law in General HRD Practice.

Course Outcomes (Cos): The students will be:

- **CO1:** Demonstrate the laws relating to Industrial Relations, Social Security and Working conditions and learn the enquiry procedural and industrial discipline.
- **CO2:** Demonstrate a solid grounding in the basics of employment and labour law.
- **CO3:** Demonstrate an understanding of the legal aspects of the structure, history and values underlying employment relations in the U.S.
- **CO4:** Understand the administrative process and the role it plays in resolving disputes that frequently arise in employment settings.
- **CO5:** Apply knowledge of the relevant statutes, regulations and case-laws to situations arising in the workplace.



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2nd YEAR, SEMESTER IV

LLMBE402- LABOUR AND EMPLOYMENT LAWS

COURSE CONTENT:

UNIT-I: Overview of Labour & Employment Laws

1. Concept and meaning of Industrial Relations
2. Role of ILO in Labour Welfare
3. Recent Labour Law reforms: New Labour Codes
4. Doctrine of Pleasure –Opportunity of being heard and its exceptions
5. Judicial Review of Service matters
6. Jurisdiction of Courts and Tribunals in Service Matters
7. Constitution of Public Service Commissions in Union and State.

UNIT-II: Laws relating to Industrial Relation

1. Industrial Disputes Act, 1947
2. Industrial Employment (Standing Orders) Act, 1946.
3. Constitutional norms: Freedom of Association – Right of unorganized labour to form unions – History of unionism in India – Globalization, privatization, and its impact on the working of the Trade Unions.
4. Trade Unions Act, 1926

UNIT-III: Laws relating to Social Security

1. Need for social security protection of workers
2. The Employees Compensation Act, 1923
3. The Employees State Insurance Act, 1948
4. The Maternity Benefit Act, 1961
5. The Unorganized Workers' Social Security Act, 2008
6. The Employees provident fund and Miscellaneous Provisions Act, 1952
7. The Payment of Gratuity Act, 1972

UNIT-IV: Laws relating to Welfare, Health & Safety and Working Conditions of Workers

1. Objectives – formal and informal sectors – Meaning of contract labour; Retirement benefits; Provisions relating to Hazardous Process; Employment of women and young workers.
2. Prohibition on employment of contract labour – welfare & health of contract labour and Contract labour (Regulation and Abolition) Act 1970
3. The Factories Act, 1948



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Credit Based Choice System

2nd YEAR, SEMESTER IV

LLMBE402- LABOUR AND EMPLOYMENT LAWS

UNIT-V: Laws relating to Wages

1. Concept of Wages; 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.
2. The Payment of Wages Act, 1936
3. The Minimum Wages Act 1948
4. The Payment of Bonus Act 1965
5. Equal Remuneration Act, 1976

References:

Bare Acts:

1. Contract labour (Regulation and Abolition) Act 1970
2. Equal Remuneration Act, 1976
3. The Employees Compensation Act, 1923
4. The Employees provident fund and Miscellaneous Provisions Act, 1952
5. The Employees State Insurance Act, 1948
6. The Factories Act, 1948
7. The Industrial Disputes Act, 1947
8. The Maternity Benefit Act, 1961
9. The Minimum Wages Act 1948
10. The Payment of Bonus Act 1965
11. The Payment of Gratuity Act, 1972
12. The Payment of Wages Act, 1936
13. The Unorganized Workers Social Security Act, 2008
14. Trade Unions Act, 1926

Books:

1. Garg, K.C., Sharma, M., Sareen, V.K. (2002). *Commercial and Labour Laws*. Ludhiana: Kalyani Publishers.
2. Kumar H.L., (2000). *Practical Guide to Labour Management*. New Delhi: Universal Law Publishing.
3. Kumar H.L., (2002). *Practical Guide to Contract Labour - Regulation & Abolition Act & Rules*. New Delhi: Universal Law Publishing.
4. Mathur. A.S. (1968). *Labour Policy and Industrial Relations in India*. Agra: Ram Prasad.



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Master of Laws (Business Law) 2021-2023

Credit Based Choice System

2nd YEAR, SEMESTER IV

LLMBE402- LABOUR AND EMPLOYMENT LAWS

5. Mishra, S.N. (2019). *Labour and Industrial Laws*, Prayagraj: Central Law Publications
6. Reshma Arora, (2000). *Labour Law*. New Delhi: Himalaya Publication House.
7. Singh, Avtar. (2002). *Introduction to Labour & Industrial Law*. New Delhi: LexisNexis.

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1. All India Reporter
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3. Manupatra Database



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LLMBE403- LAW OF IMPORT-EXPORT REGULATION

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
							THEORY			PRACTICAL	
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLMBE403	DE	LAW OF IMPORT-EXPORT REGULATION	4	0	0	4	60	20	20	0	0

Legends: L - Lecture; T - Tutorial/Teacher Guided Student Activity; P – Practical; C - Credit;

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Course Educational Objectives (CEOs): The student will be able to-

- **CEO1:** Understand the Competition Law and Consumer considerations and their protection
- **CEO2:** Learn significant development in this branch of law.
- **CEO3:** Understand the globalization of trade, market-dominated economy, information revolution and emergence of e-commerce has further enhanced this process.
- **CEO4:** Form a base of policy framework in International Business with special emphasis on Indian Customs
- **CEO5:** Apprise them of the documentation procedures and its sanctity in Import-Export.

Course Outcomes (Cos): The students will be:

- **CO1:** Explain the concepts in custom clearance in international business with respect to foreign trade
- **CO2:** Apply the current custom clearance phenomenon and to evaluate the global business environment in terms of economic, social and legal aspects
- **CO3:** Analyse the principle of international business and strategies adopted by firms to for exporting products globally
- **CO4:** Integrate concept in custom clearance concepts with functioning of global trade
- **CO5:** Employ and apply quantitative techniques and methods in the analysis of real-world business situations



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LLMBE403- LAW OF IMPORT-EXPORT REGULATION

COURSE CONTENT:

UNIT I: Introduction to Export and Import Trade

1. State Control over Import and Export of Goods – From Rigidity to Liberalization
2. Impact of Regulation on Economy
3. Goods, Services, Transportation

UNIT II: International Regime

1. WTO Agreement; WTO and Tariff Restrictions, Non-Tariff Restrictions
2. Investment and Transfer of Technology; Quota restriction and Anti-Dumping; Permissible Regulations
3. Quarantine regulation; Dumping of discarded technology and goods in international market; Reduction of subsidies and counter measures.

UNIT-III: Laws for Imports and Exports

1. Legislative Control; Power of Control: Central government and RBI.
2. Foreign Trade Development and Regulation Act 1992; Restrictions under customs law
3. Import of goods; Export promotion councils; Export oriented units and export processing zones

UNIT IV: Exports and Technology transfer

1. Quality control; Regulation on goods; Conservation of foreign exchange
2. Foreign Exchange Management; Currency transfer; Investment in foreign countries
3. Restrictive terms in technology transfer agreements; Automatic approval schemes.

UNIT-V: Commercial Policy Instruments

1. Tariffs, quotes, anti-dumping/countervailing duties, technical standards,
2. Exchange controls and other non-tariff measures.

References:

Bare Acts:

1. Imports and Exports (Regulation) Act, 1947
2. The Customs Act, 1962
3. The Foreign Trade (Development and Regulations) Acts, 1992
4. The Foreign Trade (Regulation) Rules, 1993



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Master of Laws (Business Law) 2021-2023

Credit Based Choice System

2nd YEAR, SEMESTER IV

LLMBE403- LAW OF IMPORT-EXPORT REGULATION

Books:

1. Debattista, Charles. (2008). *Bills of lading in export trade* (3rd ed.) Tottel Publishing: Edinburgh
2. Folsom, R.H. (2017). *International Trade Law including the WTO, Technology transfers and Import/Export/Customs Law*, Eagan: West Academic Press
3. Pal, Ankita. (2015). *Law of Import export regulation*, Indore: Amar Law Publications
4. Singh, Anand. (Kindle), *Foreign Exchange Management Laws in India*, Easy Law mate:
5. Venugopal, K.R. (2013). *Fiscal and Monetary Reforms in India*, New Delhi: I K International Publishing House Pvt. Ltd

Articles:

1. Aggarwal, A. (2004). SEZs in India: Analysing Export Performance
2. Aggarwal, A. (2006). SEZs: Revisiting the Policy Debates
3. Aggarwal, V.K. and Mukherji, R. (2007). *India's shifting Trade Policy: South Asia and Beyond*
4. The New Foreign Trade Policy (2009-2014), Ministry of Commerce and Industry, Government of India.

Case-Reporters:

1. All India Reporter
2. Supreme Court Cases
3. Manupatra Database