Shri Vaishnav Vidyapeeth Vishwavidyalaya
LL.M. 2 Year Program (Business Law)
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	DEC	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; **DC**- Departmental Core, **CCC**- Compulsory Clinical Course, **HEC**- Honours Elective Course, **DEC**- Departmental Elective Course
*****Teacher Assessment** shall be based on the following components: Quiz/Assignment/ Project/Participation in Class, given that no component shall exceed 10 marks.

Course Educational Objectives: The students will be able to:
1. Designed to provide comprehensive knowledge regarding the general principles of IPR, Concept and Theories, Criticisms of Intellectual Property Rights, International Regime Relating to IPR
2. Aware about current trends in IPR and Govt. steps in fostering IPR
3. Apply statutory provisions to protect form of IPRs.
4. Identify criteria to fit one's own intellectual work in particular form of IPRs.
5. Distinguish and explain various forms of IPRs

Course Outcomes: The students will be able to:
1. 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
2. Disseminate knowledge on patents, patent regime in India and abroad and registration aspects
3. Disseminate knowledge on copyrights and its related rights and registration aspects Disseminate knowledge on trademarks and registration aspects
4. Disseminate knowledge on Design, Geographical Indication (GI), Plant Variety and Layout Design Protection and their registration aspects

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Credit Based Choice System
2nd YEAR, SEMESTER IV

LLMBE401- PRINCIPLES OF INTELLECTUAL PROPERTY RIGHTS

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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

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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

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): meaning, and difference between GI and trademarks - Procedure for registration, effect of registration and term of protection
3. Plant Variety Protection: meaning and benefit sharing and farmers' rights – Procedure for registration, effect of registration and term of protection
4. 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

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LLMBE401- PRINCIPLES OF INTELLECTUAL PROPERTY RIGHTS

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							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

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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LLMBE402- LABOUR AND EMPLOYMENT LAWS

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	THEORY			PRACTICAL	
							END SEM University Exam	Two Term Exam	Teachers Assessment*	END SEM University Exam	Teachers Assessment*
LLMBE402	DEC	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; **DC**- Departmental Core, **CCC**- Compulsory Clinical Course, **HEC**- Honours Elective Course, **DEC**- Departmental Elective Course
***Teacher Assessment** shall be based on the following components: Quiz/Assignment/ Project/Participation in Class, given that no component shall exceed 10 marks.

Course Educational Objectives: The student will be able to:
1. Know the concept and meaning of Industrial Relations.
2. Learn the salient features of welfare and wage Legislation.
3. Learn the laws relating to Industrial Relations, Social Security and Working conditions.
4. Understand the laws related to working conditions in different settings.

Course Outcomes: The students will be able to:
1. Demonstrate the laws relating to Industrial Relations, Social Security and Working conditions and learn the enquiry procedural and industrial discipline.
2. Demonstrate a solid grounding in the basics of employment and labour law.
3. Demonstrate an understanding of the legal aspects of the structure, history and values
4. Understand the administrative process and the role it plays in resolving disputes that frequently arise in employment settings.
5. Apply knowledge of the New Code on Labour Law, regulations and case-laws

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LLMBE402- LABOUR AND EMPLOYMENT LAWS

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							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

COURSE CONTENT:

UNIT-I: Concept of Labour Law
1. Origin and Development, Nature and Need
2. Objectives and Principles of Labour Laws in India
3. Social Justice; Fundamental Rights; Directive Principles; Judicial Activism and Labour Welfare in India
4. Impact of Liberalization and Globalization- Labour Policy of India
5. Recent Labour Law reforms: New Labour Codes

UNIT-II: Trade Unionism and Collective Bargaining (Industrial Relations Code, 2020)
1. Evolution of Trade Union in India
2. Constitutional Freedom to form Associations and Unions
3. ILO on Trade Union
4. Trade Union: Definitions, Registration, Cancellation and Management of Funds
5. Trade Union: Recognition and Immunities

UNIT-III: Industrial Disputes (Industrial Relations Code, 2020)
1. Introduction and definitions
2. Resolutions of Industrial Disputes
3. Concept of "Workman"- Contract of Service, Contract for Service
4. Strike, Lockout, Layoff, Retrenchment, Closure of undertakings,
5. Industrial Employment (Standing Orders)
6. Disciplinary action and procedure

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LLMBE402- LABOUR AND EMPLOYMENT LAWS

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

UNIT-IV: The Code on Wages, 2019
1. Concept and Introduction of Wages
2. Minimum Wages, Floor Wages, Central and State Advisory Board
3. Payment of Wages, Deductions and Recovery, Fines
4. Equal Remuneration
5. Bonus

UNIT-V: The Code on Social Security, 2020
1. Introduction and Definitions under the Code of Social Security, 2020
2. Social Security Organizations
3. Employees compensation and benefits
4. The Concept of Arising Out of and in the Course of Employment
5. Employees State Insurance and other benefits, Maternity benefits

References:

Bare Acts:
1. Industrial Employment (Standing Orders) Act, 1946
2. The Code on Social Security, 2020
3. The Code on Wages, 2019
4. The Industrial Disputes Act, 1947
5. The Industrial Relations Code, 2020
6. The Occupational Safety, Health and Working Conditions Code, 2020
7. The Trade Unions Act, 1926

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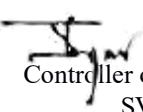| COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	TEACHING & EVALUATION SCHEME				
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LLMBE402	DEC	LABOUR AND EMPLOYMENT LAWS	4	0	0	4	60	20	20	0	0

Books:

1. Garg, K.C.; Sharma, Mukesh; 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. Mishra, S.N. (2023), Labour and Industrial Law (with recent amendments). New Delhi: Central Law Publications
4. Reshma Arora, (2000). Labour Law. New Delhi: Himalaya Publication House.
5. Singh, Avtar. (2002). Introduction to Labour & Industrial Law. New Delhi: LexisNexis.
6. Taxmann's, (2023). New Labour & Industrial Laws – Complete coverage of the new Codes (incl. Code on Wages, IR Code, Social Security, etc.) along with comparative charts and tables for the new & old provisions. New Delhi: Taxmann Publications Private Limited
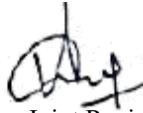
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LL.M. 2 Year Program (Business Law)
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2nd YEAR, SEMESTER IV

LLMBE403- LAW OF IMPORT-EXPORT REGULATION

COURSE CODE	CATEGORY	COURSE NAME	L	T	P	CREDITS	THEORY END SEM University Exam	THEORY Two Term Exam	THEORY Teachers Assessment*	PRACTICAL END SEM University Exam	PRACTICAL Teachers Assessment*
LLMBE403	DEC	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; **DC**- Departmental Core, **CCC**- Compulsory Clinical Course, **HEC**- Honours Elective Course, **DEC**- Departmental Elective Course
*****Teacher Assessment** shall be based following components: Quiz/Assignment/ Project/Participation in Class, given that no component shall exceed 10 marks.

Course Educational Objectives: The student will be able to:
1. Understand the Competition Law and Consumer considerations and their protection
2. Learn significant development in this branch of law.
3. Understand the globalization of trade, market-dominated economy, information revolution and emergence of e-commerce has further enhanced this process.
4. Form a base of policy framework in International Business with special emphasis on Indian Customs
5. Apprise them of the documentation procedures and its sanctity in Import-Export.

Course Outcomes: The students will be able to:
1. Explain the concepts in custom clearance in international business with respect to foreign trade
2. Apply the current custom clearance phenomenon and to evaluate the global business environment in terms of economic, social and legal aspects
3. Analyse the principle of international business and strategies adopted by firms to for exporting products globally
4. Integrate concept in custom clearance concepts with functioning of global trade
5. 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

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LLMBE403	DEC	LAW OF IMPORT-EXPORT REGULATION	4	0	0	4	60	20	20	0	0

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.

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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

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.

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