



Shri Vile Parle Kelavani Mandal'S

NARSEE MONJEE COLLEGE OF COMMERCE & ECONOMICS

NAAC Reaccredited "A" Grade, CGPA - 3.42



Program: B. Com Honours				Semester: III							
Course: Laws Related to Intellectual Property Rights and Alternative Dispute Resolution.				Code: NAIPR205							
Academic Year: 2024-2025											
Teaching Scheme				Evaluation Scheme							
Lecture	Practical	Tutorial	Credit	Internal Continuous Assessment (ICA) (weightage)	Term End Examinations (TEE) (weightage)						
30	-	-	02	20	30						
Internal Component Assessment (20 marks) break up											
		<table border="1"> <tr> <td style="text-align: center;">ICA 1</td> <td style="text-align: center;">ICA 2</td> </tr> <tr> <td style="text-align: center;">Class Test (Compulsory)</td> <td style="text-align: center;">Assignment 1</td> </tr> <tr> <td style="text-align: center;">10</td> <td style="text-align: center;">10</td> </tr> </table>		ICA 1	ICA 2	Class Test (Compulsory)	Assignment 1	10	10		
ICA 1	ICA 2										
Class Test (Compulsory)	Assignment 1										
10	10										
Learning Objectives:											
<ul style="list-style-type: none"> To enable understanding of relevance and importance of Intellectual Property rights in business development. To educate about basic concepts of Arbitration, Mediation, Negotiation and Conciliation as efficient redressal mechanism in business litigation. To analyse the principles, processes, and techniques of mediation and arbitration, in resolving conflicts, and evaluate their effectiveness in various contexts. 											
Learning Outcomes:											
At the end of the course module, the students should be able to:											
<ol style="list-style-type: none"> Develop Understanding of the concepts of Intellectual Property rights and their significance in various industries and sectors. Identify different types of Intellectual Property rights, including patents, trademarks, copyrights, and GI. Explain the process of IP registration and infringement remedies. Educate about importance of arbitration, mediation, negotiation, and conciliation, and distinguish between each method of dispute resolution. Evaluate the suitability of arbitration, mediation, negotiation, or conciliation based on specific dispute characteristics, parties involved, and desired outcomes. Critically analyze the effectiveness of mediation and arbitration in achieving fair and durable outcomes, considering factors like cost, time, enforceability, and party satisfaction. 											



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Pedagogy

The objective of the course is to encourage students to learn and to appreciate the use of various legal provisions enacted for the purpose of smooth running of the business and its winding up.

- 1) Short case laws and case studies would be either discussed in class or would be given to students as assignment for submission.
- 2) Pertaining to the topic covered, students would be given project/field work for better understanding of the topic. These will be of practical nature.
- 3) Use of PowerPoint presentation, **moot courts**, flow charts, quiz, legal puzzles and classroom debate will be emphasized more.

Important Note:

Meaning of Basic concepts of laws, their need and applicability of laws to a person in daily life transactions should be taught.

How Stakeholders of the business would be benefited by using the legal provisions would be taught.

Moot courts, daily revision, hands on training would be planned for better understanding of the cases.

Detailed Syllabus: (Per session plan)

Each lecture session would be of one-hour duration (45sessions)

Module	Module Content	Module Wise Pedagogy Used	Module Wise Number of lectures	Module Wise Reference Books
I	<p>Intellectual Property Rights- Introduction, Rationale behind IP protection. Objects, Background of IPR in India.</p> <p>Laws relating to Patents rights in India- Invention and discovery, meaning of manufacture, Evergreening of patent, specifications, Procedure for grant of patents, Publication of application, Opposition, Rights of Patentees, Term of patent, Provisions for secrecy of certain inventions, Infringements and remedies Jurisdiction, Appeals.</p>	Classroom sessions	15	Ravinder Kumar Legal aspects of Business - 5th edition 2021



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	<p>Laws relating to Copyrights in India: Introduction, Owner of Copyrights, Work in which copyrights exist. Relinquishment of copyrights, License by owners, Duration of copyrights, Infringements and remedies</p> <p>Laws relating to Trade Marks: Meaning of trade mark, Registration, kinds, duration, renewal, removal and restoration of trade mark, registration, Certification and collective marks, infringement and remedies. Above IP rights with case laws. WIPO Registration.</p>			<p>Intellectual property Rights (2021)Asha Vijay Durafe Dhanashree K Toradmalle</p>
2	<p>Introduction to Alternative Dispute Resolution (ADR) Legislative development of ADR in India, Importance and benefits of ADR over traditional litigation, Various Modes of Alternative Dispute Resolution (Arbitration, Mediation, Conciliation, Negotiation), Nature, Scope, Limitations of disputes resolution.</p> <p>Negotiation Meaning and Scope of Negotiation Types of Negotiation Positional bargaining, Interest-based bargaining or Principled negotiation Collaborative Communication skill</p> <p>Mediation Meaning and Scope of Mediation Advantages and Disadvantages of Mediation Role of the mediator Drafting Mediation and Conciliation clauses and agreements, The Mediation / Conciliation Process. Confidentiality and neutrality. How to write Award. Ethical issues in Mediation /Conciliation.</p>	Classroom sessions	15	<p>The Principles of Alternative Dispute Resolution Dr. T Padma KPC Rao</p>



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	<p>Arbitration Theory of arbitration, The arbitration process Drafting Arbitration clauses and agreements Process for Arbitration, Conducting an Arbitration, Seat, location, Examinations Conducting a Mock Arbitration</p>			
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Note: Lawyers and industries are looking for the students who know basic drafting of notices and know the business compliances, hence the basics of business laws should be taught in these sessions.

Reference Books:

Title	Author(s)	Publisher
Legal aspects of Business	Ravinder Kumar -	New Delhi Cenage - 5th edition 2021
Legal aspects of Business	Akhilesh Pathak	Mac graw Hill - 7th edition 2022
Intellectual property Rights	Asha Vijay Durafe Dhanashree K Toradmalle	2021
The Principles of Alternative Dispute Resolution	Dr. T Padma KPC Rao	Alt Publication (2023)

Note: Latest edition of text book may be used.

Supplementary Readings

1. Ravinder Kumar Legal aspects of Business - 5th edition 2021
2. Intellectual property Rights (2021)Asha Vijay Durafe Dhanashree K Toradmalle



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Paper pattern:

2Q of 15 marks each – One full length question 10 Marks and one case law of 5 marks. Having internal choice.

a) Details of Continuous Assessment (CA)

40% of the total marks per course:

Continuous Assessment	Details	Marks
Component 1 (CA-1)	Project/Assignments and Moot Courts	10 marks
Component 2 (CA-2)	Internal Class Test 1	10 marks
	Internal Class Test 2	10 marks
	AVERAGE of 2 Class Test	10 marks

b) Details of Semester End Examination

60% of the total marks per course. Duration of examination will be two and half hours.

Question Number	Description	Total Marks
1	a) Full Length Question on Module I (10 Marks) b) Case Studies/Laws on Module I (05 Marks) OR a) Full Length Question on Module I (10 Marks) b) Case Studies/Laws on Module I (05 Marks)	15
1	a) Full Length Question on Module II (10 Marks) b) Case Studies/Laws on Module II (05 Marks) OR a) Full Length Question on Module II (10 Marks) b) Case Studies/Laws on Module II (05 Marks)	15
	Total Marks	30