



**National Law University, Delhi
&
Global Institute of Intellectual Property**

jointly offer

**Post Graduate Diploma
in
Intellectual Property Rights and Patent Law**





National Law University, Delhi(NLU)

National Law University, Delhi, established in 2008 by Act No.1 of 2008 of National Capital Territory of Delhi and with the initiative of High Court of Delhi is a premier law University. The vision of the University is to create a Global Legal Institution which will compete with the best outside India and to prepare Lawyers for a legal career that introduces them to wide range of opportunities in legal profession across the globe. The University has state-of-the-art infrastructure at Sector 14, Dwarka, New Delhi with all facilities for best of learning and research.

The University offers a 5-year integrated B.A., LL.B (Hons.) Degree Programme with effect from the Academic Year 2008-09 starting in August, 2008.

Post Graduate Diploma in IPR and Patent Law

The Globalization and the rapid proliferation of technology, coupled with the intangible nature of intellectual property create challenges for those businesses wishing to protect their inventions and technological breakthroughs, brands, and business methods in domestic and foreign markets. With this spurt in the R&D activity, the number of patents being filed internationally and in India has also gone up. The filing and litigation in other IPs, such as Trademarks, Copyrights, Designs etc. is also rising.

With the global slowdown, there is a sudden influx of business for the Indian LPOs and KPOs and the industry is expected to generate revenues of around \$640 million by the end of 2010. The time is apt for the KPOs to expand and enter newer domains, such as Intellectual Property, which is becoming a niche area of practice offering lucrative returns.

Global Institute of Intellectual Property (GIIP)

Global Institute of Intellectual Property (GIIP) is a leading Intellectual Property (IP) training company, co-headquartered at New Delhi, India and San Jose, USA. The company has been set up by a team of successful entrepreneurs, IP attorneys, patent agents and practitioners. GIIP provides training services covering IP generation, protection, commercialization and management.

GIIP, a pioneering Institute in IP education & research, has been involved in Capacity Building for IP & Patent professionals. GIIP's training programs are conducted by Indian and international IP practitioners, to provide comprehensive knowledge about different type of Intellectual Property (IP), related protection systems & their significance, infringement issues and strategies for commercialization and management. GIIP's training programs cater for a wide audience including: inventors, scientists, domain experts, business managers, practicing professionals, and teachers & students from technical, legal and management streams. GIIP continuously strives to innovate in this area with new training programs that are practical for today and tomorrow's IP and business needs.



Objective

The Objective of this one year Post Graduate Diploma program is to equip participants with knowledge of various forms of Intellectual Property and to create specific technical, legal and management skills related to protection, infringement and commercialization of respective Intellectual Property. This unique program will provide comprehensive knowledge of the laws and process associated to different forms of Intellectual Property Right (Patents, Trademarks, Copyrights, Geographical Indications, Trade Secrets, etc.), including seeking protection, maintenance, seeking remedies against infringement, national and international IPR protection system, IP licensing, IP valuation, etc. The program will build proficiency and help understand and appreciate differences between Indian, US and European patent law.

Highlights

- The program is designed for legal as well as technical professionals, students aspiring for a lucrative career in Patent and IP related services.
- 252 hours of curriculum, prepared by Academicians, IP Attorneys, Patent Examiners & Agents from the US, Europe and India, keeping the industry requirements at core.
- Assignments, group discussions and examination for each module of the program.
- Interactive class room sessions and case study method of instructions.
- Highly qualified and experienced faculty – Academicians from leading, Universities in India and abroad, practicing IP Attorneys, Patent Agents, Patent Examiners from US, European and Indian Patents & Trademark Office and professors from GIIP.

Participants Profile

- Graduates / Post Graduates / Ph.D holders with science, engineering or law degrees.
- Working Professionals, Lawyers, Scientists, etc.
- Domain Experts, Inventors and Professionals dealing with IP and Patents issues.
- Final year (under-graduate) students from science, engineering and law are also eligible to apply

The program will require an excellent command over written and spoken English.

Methodology

TEACHING:

The teaching will be highly interactive sessions with trainers including group discussions, self learning exercises, case studies, scenario exercises. The objective is to promote a collaborative learning environment with constant inputs and feedbacks from the learners. Wherever possible, the focus will be on the 'real world' problems and probable solution strategies. The focus will be to deliver content that can help conceptual understanding and practical application of critical content in a relatively short period of time. Wherever possible, case studies and case laws will be used to train the group.

DELIVERY:

- Live lectures using PowerPoint presentations
- Assignments, Reading Exercises, Group Discussions
- Case Laws and Case Studies
- Exercises and tests

Duration

One year (Saturday classes; 9.30 AM to 5.30 PM)

(Additional: Industry interaction session will be conducted once a month, on a Sunday)

Admission Process

Involves the following steps:

- Pre-registration of candidates: Admission forms to be available online (www.nludelhi.ac.in, www.giipinfo.com) or write to us at admissions@giipinfo.com. Hard copy application forms can be collected from the NLU campus or GIIP office.
- Scanning of the application form and short listing of eligible candidates.
- Personal Interview for all short listed candidates.
- Results to be declared within 3 working days of the Interview date.



Program Fee

INR 75,000 for the complete program (includes tuition fee, study material, tea/coffee, snacks and lunch)

Important Dates

Pre-registration of candidates:

April 1, 2010 - June 21, 2010

Interview for selection:

July 1, 2010 - July 8, 2010

List of Selected Candidates:

July 12, 2010

Enrollment and payment of 1st instalment of fee:

July 12, 2010 - July 19, 2010

Program Start Date:

August 7, 2010

Program End Date:

June, 2011



COURSE CONTENT

Semester I

MODULE 1: INTRODUCTION TO INTELLECTUAL PROPERTY

Objective:

This module provides comprehensive knowledge of the various forms of IP and an overview of the International IPR protection system. The module lays foundation for the program and familiarizes the participants with the basic IP concepts, need for IP protection, types of IP Rights available and legal instruments for protection.

The module is divided into two sub-modules:

1. Role of Intellectual Property and IPR protection system:

Provides overview of the IPs, types of IPs, role of IP in growth and development of trade and commerce, the International IPR system, role of WIPO and WTO, TRIPS and other important International Treaties and Conventions for enforcement of IPRs.

2. Intellectual Property Rights: In-depth knowledge of various categories of IP, i.e. Trademarks, Copyrights, Patents, Trade Secrets, Geographical Indications, Traditional Knowledge, Plant Varieties, Semiconductor & Integrated Circuits Layout Designs, Industrial Designs and Utility Patents. It introduces each IP, the key concepts, the governing act/statute.

MODULE 2: PROTECTION AND MAINTENANCE OF INTELLECTUAL PROPERTY

Objective:

This module discusses many facets of IP (Trademarks, copyrights and Trade Secrets) protection, infringement and enforcement. For each IP, the related

treaties/instruments for international protection will be studied. The Filing Procedure for protection in India and US is also covered.

This module is divided into three sub-modules:

1. Trademarks: Covers protection of trademarks, infringement, passing off actions, and remedies for infringement. This will also cover search techniques, important conventions related to International protection of trademarks, US Trademark Statutes and Indian Trademark Law, the Filing Procedure, Trademark searches in India and US.

2. Copyrights: Covers protection and infringement of Copyrights, protection of software under copyrights, important international instruments related to Copyrights and Related Rights, US and Indian Copyright Law and Filing Procedure.

3. Trade Secrets and Protection Against Anti-Competitive Practices:

Covers Trade Secrets protection mechanisms and confidentiality agreements, protection of Trade Secrets in US and tools available for trade secret protection in India, such as provisions Indian Contract Act, Competition Act, Copyright Act, Information Technology Act etc.

MODULE 3: PATENT PROCESS (INDIA, US, EP, VIA PCT)

Objective: This module provides detailed Patent Processes in India, US, Europe and also the International Patent Application Filing via Patent Cooperation Treaty (PCT) administered by WIPO. For each Patent System, the module covers the types of applications that can be filed, the criteria of patentability, non-obviousness/anticipation, patent filing procedure, timelines, publication and examination process, office actions, grant of patent etc.

The module is divided into four sub-modules:

1. Patent Process In India: Covers Indian Patent Act, 1970, Patent Rules, 2003 along with various forms and fee required to file a patent application in Indian Patent Office. Describes the Indian Patent System, salient features of the Patent Act and Rules, types of patent applications, criteria of patentability, anticipation of an invention, patent of addition, filing procedure, publication, examination, and grant of a patent. It also covers opposition to grant of patents, restoration of lapsed patents, revocation, compulsory licensing etc. This sub-module will also help prepare for the Patent Agent Examination conducted by Indian PTO.

2. Patent Process in US: Covers the study of major aspects of United States (U.S.) Patent Statutes governing the patentability, non-obviousness, enablement requirements for grant of a patent, procedure &, concept of patent infringement (direct and indirect infringements, contributory infringement, /literal infringement and under doctrine of equivalents), pre patenting process, steps involved in patent filing before the USPTO, First and Second/Final Office Actions, notice of appeal, filing a Brief on appeal, CPAs, RCE, Divisional applications, CIP, Provisional applications, etc.

3. Patent Process in EP: Covers introduction to European Patent System and European Patent Convention, criteria for patentable inventions, patent filing procedure, examination, grant and validation process, opposition of patent applications/patents and appeal process.

4. Patent Process via PCT: Covers the basics of International patent filing procedure, which focuses on the cooperation for the facilitation and promotion of patents worldwide. It also highlights advantages of international filing over the national patent filing and the importance of maintaining priority dates etc. It discusses the international and national Phase in the PCT filing system. It largely covers the process involved in preparing and prosecuting a PCT application including Chapter 1 and Chapter 2.

Semester II

MODULE 4: PATENT PROSECUTION, SEARCHING AND DRAFTING (INDIA, US, EP)

Objective:

This module provides exhaustive details on patent prosecution and the process involved in post-filing of patent applications, Pre-Litigation considerations, responding to different requirements of the Patent Office, strategizing responses to substantial Office Actions, challenging the validity of an earlier patent/responding to challenges by third parties, handling prior art citations, prosecution history estoppels, doctrine of equivalents etc. It also covers how to avoid double patenting restrictions, reviving abandoned applications, and reissuing patents with broadened claims. This module will also cover the technical aspects related to Patent searching and drafting of patent applications. The focus is on providing detailed information on how to conduct patent/prior art searches for checking the patentability of an invention. The art and skill of patent claim and specific drafting will be dealt using examples and case studies, with practical insights.

This module is divided into four sub-modules:

1. Patent Prosecution In India: Covers Pre-Grant and Post Grant Oppositions, handling Office Actions, revival of abandoned applications, lapsed patents, compulsory licensing, revocation and reissue of a patent.

2. Patent Prosecution in US and EP: Covers patent structure and requirements, Pre Litigation/Patent Evaluation Matters, strategies for responding to Office Actions, dealing with prior art citations, avoiding double patenting, using Terminal Disclaimers, reviving abandoned applications, broadening Reissue applications, Inter-Parte and Ex-Parte Re-examination process, and strategy to use Continuation applications.

3. Patent Searches: Establishes the importance of patent and prior art searches and classifications. It broadly covers techniques and processes involved in conducting patent searches, search methodologies, types of patent searches, and examples/case studies on some major types of searches.

4. Claim and Specifications Drafting: Covers aspects of drafting a patent application. It includes interviewing the inventor to embody the invention in specifications and claims within a patent application. It takes into account the skills involved in drafting to set out the scope of a patent, establishment of point of novelty, drafting of broadest claims, dependent and independent claims, multiple broadest claims, claims differentiation, claiming beyond the broadest claims and different ways of claiming the invention. This sub-module also covers drafting of specifications.

MODULE 5: IP & PATENT LITIGATION AND ALTERNATE DISPUTE RESOLUTION

Objective:

This module will introduce some contemporary issues related to IP and Patent Litigation in India and US. The basic concepts related to the formation of law, legal framework, court system

for IP litigation in India and US will be discussed. This module will cover the IP litigation related to Copyrights, Trademarks, and Trade Secrets in India. Important patent case laws will be discussed based on different criteria of patentability along with pre-litigation issues, claim construction issues and patent infringement. The module will also discuss the alternate dispute resolution mechanisms in handling IP disputes.

This module is divided into four sub-module:

1. Introduction to Legal System: This sub-module provides an overview of the Indian and US Legal Systems. This provides the basics of IP Litigation in US and India. This covers key concepts related to civil and criminal litigation, role of evidence and discovery process (in US), and key terms used in IP Litigation.

2. IP Litigation: This sub-module covers case laws of India and US, related to Copyrights, Trademarks and Trade Secrets.

3. Patent Litigation: Provides the basics of Patent Litigation in US and India. Pre-Litigation Considerations, important US and Indian case laws relating to Novelty, Patentability, Non-Obviousness, Enablement, Industrial Applicability etc. It also covers important issues such as Markman Hearings for Claim Construction, Infringement Analysis, Doctrine of Equivalents, Intrinsic Evidence versus Extrinsic Evidence etc.

4.A lternateD isputeR esolution: Provides the in-depth knowledge of alternate dispute resolution procedures i.e. negotiation, mediation and arbitration for resolving IP and Patent disputes, It also covers the advantages and disadvantages over the court system, the difference between ad-hoc and institutional arbitration, the arbitration statutes and the process for arbitration.

MODULE 6: IP MANAGEMENT AND CONTEMPORARY ISSUES

Objective:

This module provides insight into the intellectual property audit, portfolio management, commercialization, monetization and licensing of technology. The module will also have sessions which provide hands-on exercises, discussions and deliberations in some specific areas related to IP, under the guidance of mentors and IP experts.

1. IP Management, Valuation and Commercialization: This sub-module provides an introduction to intellectual property audits and intangible asset management and development. The sub-module will discuss how intellectual property is important as a global asset and how to update a corporation's current system to manage its intellectual property. This will cover issues related to IP Audit, valuation of IP, pricing strategy, taxation issues, and commercialization of IP, and issues related to technology transfer. The module will also cover issues related to IP and Patent Licensing.

2. Contemporary Issues and Hands on Exercises in IP & Patents: This sub-module includes exercises on Patent Searches, demonstration of Patent Analysis, Claim Drafting, discussions/deliberations/presentations on contemporary issues related to IP and Patents, such as patenting in Pharmaceuticals & Bio Technology, Software & Business Methods, Life Forms & Discoveries



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