

ACTIVITY REPORT OF MHRD IP CHAIR – 2010-11

by

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OVERVIEW OF ACTIVITIES 2010-2011

TEACHING-IP

- NALSAR University has a strong IP teaching component as regular and seminar courses
- At B.A.LL.B (Hons.) (Five years) level IP is taught as a regular course in the fourth semester
- Prof. V.C.Vivekanandan, Prof. M.Sridhar and Mr.Sourabh Bharati (Lecturer) handle the semester course
- At LL.M level IP specialization is dealt in three semesters out of four semesters covering various IP laws and a thesis in IP in the last semester
- At M.Phil level IP is a specialization
- At PhD level IP is a sought after specialization
- Currently 4 candidates are working on their PhD in intellectual property
- The curriculum of IP in undergraduate level covers various IP laws and taught in an interactive mode for students
- The UG students also have project component on IP as part of their course work
- The emphasis is on copyright, patents and trademarks with other emerging IP segments
- At the Master's level there is a semester devoted to a full thesis on IP

TEACHING IP –DISSERTATION SAMPLES

- International Patent Regime: A comparative analysis of post and pre TRIPS Regime
- Prior use and Prior Publication as obstacles to Patenting of inventions
- Compulsory Licensing in Pharmaceutical Sector – Tackling the Challenges
- Patent Tocolts: Miscued problem for patents or just misconstrued?
- Study of Fame and popularity as ones Intellectual Property Right
- P & P Networking & ISP Liability: Technology Development to siege of Technology
- Protection through Geographical Indications and Certification Marks: National and International Trends
- Conflict between GI & Trade Mark – A study with special reference to TRIPS Agreement
- Domain Name Dispute
- Compulsory Licensing under Copyright Law: A study of its Impact on Music Rights
- Protection of well-known Trademark: Safeguards against register ability or identical or similar Trade Marks
- Critical Analysis of Napster Case & Post Napster Developments
- Emerging trends in Digital Copyright Law
- Intellectual Property Policy of Universities
- IPR & Competition Policy
- Enforcement of IPR with respect to Border Security measures

SEMINAR COURSES ON IPR

- Final year graduates have a strong component of seminar courses on IPR
- In 2011 – Monetizing IP – legal issues was offered as a seminar course
- In the past – European and us patent regimes/IP in internet and similar courses were offered
- Optional courses in IP for other specializations of LL.M is offered- currently – international aspects of IPR is an optional course for LL.M students

IP COURSES AS PART OF OUTREACH PROGRAMMES

- NALSAR PROXIMATE EDUCATION offers **P.G. Diploma in Patents Law** at seven cities of Hyderabad, Bangalore, Chennai, Mumbai, Pune, Ahmedabad and Delhi for law graduates and science/technology graduates
- The course covers general aspects of IPR, Indian Patents Law, European & Us Patent Laws and International Treaties & Institutions of IPR
- The course is a premier course in the country and is in its tenth year of offering and has contributed to a capacity building of around 7000 professionals in the country
- Many of them have moved as IP heads of companies with the exposure of this course
- The **P.G. Diploma in Cyber Laws** Course dealing with internet and law has a strong component of IPR as one of the module
- Copyright issues of software, patenting of software, domain name issues and operations of ICANN form part of the course
- In **P.G. Diploma in Media Laws** course again a strong component of copyright law is dealt as part of the course work
- NALSAR also offers a **Master's in Taxation and Business Laws** for the probationers of income tax service at National Academy of Direct Taxes at Nagpur- as part of it; IPR has been introduced in its curriculum in the last three years.

RESEARCH

- **NALSAR University is publishing the Indian Journal of Intellectual Property Law** as part of the chair activity which has received good review among the academic circles.
- As part of the research activity Prof.Vivekanandan received the ICSSR-NWO fellowship at Maastricht University in 2010 and worked on the data exclusivity issue which is to be published shortly
- NALSAR University has a strong research component of PhD in IP and has so far awarded three PhDs in IPR
- Prof.V.K.Unni received his PhD in 2007 in IPR who is currently teaching at IIM, Calcutta

- Dr.Anindya Sircar received his PhD in 2007 is currently the Head of the IP Division of Infosys
- Dr.Sumesh Reddy received his PhD in IPR is currently heading the IP Division of Dr.Reddy's Labs at Hyderabad
- The other PhD scholars currently working are
- Mr.Muralidharan- advocate of Krishna Saurashtri
- Mr.Sourabh Barthi- Lecturer at NALSAR
- Ms.Tabasum Wani- Magistrate at Jammu & Kashmir
- Ms.Gargi Chakrabarti- IP cell of NLS
- Ms.Manjula Rani – Asst. Prof. At Alliance University -Bangalore
- Prof Vivekanandan was awarded the prestigious ICSSR-NWO (Netherlands) research fellow award to carry out a research project - Data Exclusivity Law and interface with IP protection in India – Understanding the EU experience – and was granted on duty leave to do the same at Maastricht University Law School at Maastricht – Netherlands. He successfully completed the research during October-December 2010 and joined the University back in January 2011.
- Prof.Vivekanandan was awarded the Department of Information Technology, Ministry of Information Technology & Telecommunications, Government of India funding of Rs.2.84 crores (2010-2013) to the newly formed The Global Internet Governance & Advocacy established under NALSAR and designated as the Director
- Prof.V.C.Vivekanandan was designated as the Director of the newly formed Legal Information Institute of India- an Institute to promote free access of law to the stakeholders to have its technical hub at NALSAR University of Law with other partner law schools in India. The website of the Institute www.liiofindia.org was launched in Sydney in November 2010 by the Indian Consul at Sydney and Hon. Michael Kirby, Member of the Commonwealth Eminent Persons Group.
- Contributed to the research project of 'Balance of Copyright' by Reto Hilty Director of Max Plank Institute, Germany which was presented at the 18th International Congress of Comparative Law –at Washington, D.C. on 25-31st July 2010
- He assisted in the research project of 'Promises and Illusions of Data Protection in Indian Law' by Prof. Graham Greenleaf, Director, AustLII published in Oxford Journal of Law

RESEARCH PUBLICATIONS

- The Public–Private Dichotomy of Intellectual Property: Recommendations for the WIPO Development Agenda- chapter 10 of IDRC –CRDI, International Research Development Centre, Ottawa, 2010.
- Intellectual Property Law practice for Managers, Oxford University Press (in press)
- Transplanting the Bayh-Dole act-Issues at Stake- JIPR-
- "CHALLENGES FOR FREE ACCESS TO LAW IN A MULTI-JURISDICTIONAL DEVELOPING COUNTRY: BUILDING THE LEGAL INFORMATION INSTITUTE OF INDIA", SSRN January 2012

WORKSHOPS / CONFERENCES

INTERNATIONAL CONFERENCES

- Participated in the ICANN meeting at Nairobi, Kenya, March 2010
- Participated in the ICANN Global meet at Brussels in June 19-26, 2010 as the Asia Pacific Alac member to present the Trade mark issues in gTLD.
- Participated in the ICANN Global meet at Cartagena-Colombia as the Asia Pacific member on IP issues in gTLD from December 5-10 of 2010.
- Participated in the NOMCOM meeting as an elected member from Asia Pacific on leadership selection process from December 11-12 of 2010 at Cartagena, Colombia.
- Participated in the Global IP meet roundtable- CHINDIA – the IP landscape in Singapore in January 2011
- Participated in the APTLD APNIC meet on Domain names in Hong Kong in February 2011
- Participated as NOM COM member at the ICANN meeting at San Francisco in March 2011

NATIONAL CONFERENCES

- Participated and presented on *“Continuing Professional Legal Education” at the National Consultation on Second Generation Legal Education Reforms by the Ministry of Law at New Delhi on May 1st 2010.*
- Participated and presented at ‘WIPO Regional Seminar on the protection of Broadcasting Organisations from 12th to 13th July, 2010’, ‘WIPO Regional Seminar on the protection of Audio Visual Performances in Asia’ from 13th to 14th July, 2010 and ‘Conference on Copyright and Digital Environment with a focus on Enforcement Policies’ at New Delhi from 15th to 16th July, 2010.
- *Presented on Copyrights and Patents for Advanced Techno Management for Middle Level Scientists (DST sponsored) ASCI on May 10, 2010.*
- *Presentation on “Indian Legal System & IPR” on May 11, 2010 for Women Scientists Programme of TIFAC, New Delhi.*
- Presented on Indian Business law Module for ‘10000 Women Certificate Program’ in association with Goldman Sac- a global initiative; May 30th at Indian School of Business, Hyderabad.
- *Participated in “Technology Led Entrepreneurship Programme” and(TLEP) at IICT on June 8, 2010 at Hyderabad and presented ‘IPR system in India – an overview’*
- *Presentation on Copyright and Patents for scientists of Dept. of Biotechnology, Gol at ASCI on June 16th 2010.*
- ‘WIPO Regional Seminar on the protection of Broadcasting Organizations from 12th to 13th July, 2010’
- ‘WIPO Regional Seminar on the protection of Audio Visual Performances in Asia’ from 13th to 14th July, 2010
- ‘Conference on Copyright and Digital Environment with a focus on Enforcement Policies’ at Taj Mahal Hotel, Man Singh Road, New Delhi from 15th to 16th July, 2010
- Participated and presented on the topic *Basis of Intellectual Property Rights and its International DIMENSIONS at the Judges’ Roundtable on Intellectual Property Rights Adjudication Mumbai, July 24-25, 2010 Maharashtra Judicial Academy chaired by Hon’ble Dr. Justice D Y Chandrachud, Judge, Bombay High Court.*
- PRESENTED A PAPER ON IMPACT OF TECHNOLOGY ON JUDICIARY TO THE COMMON WEALTH JUDGES MEET IN FEBRUARY 2010

- Participated and presented on Information Technology Act-2000 at Institute of Information & Communication Management (SBIICM)
- Participated and presented at "Emerging Cyber Threats & Challenges" being organized by Confederation of Indian Industry (CII) & Government of Andhra Pradesh on 25 August 2010 at Hyderabad.
- Participated and presented on -International Disputes on IPR- WTO approach- Govt. of India scientists on September 9, 2010 TIFAC New Delhi.
- Participated and presented on MDP for Scientist/Engineers of ISRO on October 2nd, 2010 at ASCI Hyderabad.

CONSULTATION FOR MINISTRY OF HRD

- Meeting of the Standing Committee on the Copyright (Amendment) bill 2010 on 22nd July 2010
- Meeting with Stake-holders from Film Industry to discuss proposed WIPO Treaty on Protection of Audiovisual Performances on 13th September 2010
- A Meeting to discuss Agenda items of Standing Committee of Copyrights and Related Rights (SCCR) of World Intellectual Property Organization (WIPO) on 14th February 2011
- **Prof. Vivekanandan is Nominated as an Advisor to the Indian Patent Office in November 2010**
- **He was nominated as the Ethics Committee member of Administrative Staff college, Hyderabad in 2010**
- **Prof.Vivekanandan is currently as advisor to the IP Cell of IIT Bhubaneswar**