

DETAILED CURRICULUM
LEVEL TWO - SEMESTER FOUR
INTELLECTUAL PROPERTY LAW

COURSE DETAILS			
Course Code	LW 4183		
Course Title	INTELLECTUAL PROPERTY LAW		
Course Type	CC		
Credits	3		
Hours Allotted	Theory	30	Total
	Practical		
	Assignments/Tutorials	30	60
AIM			
This course introduces the students to complexity of Law of Intellectual Property at global and domestic level All the major areas that need to be considered in order to have a balanced and informed knowledge on Law of Intellectual property have been included in the course.			
INTENDED LEARNING OUTCOMES			
<p>After following the course, the learners should be able to,</p> <ul style="list-style-type: none"> (a) domestic a clear understanding and competence in core concepts of the subject area. (b) explore and analyse new trends of Law of Intellectual property posed y the rapidly changing economic, commerce and technological environments in the world. (c) be a competent practitioner to be involved in solving the legal disputes arising in the context of Law of intellectual property. 			
COURSE CONTENTS			
<p>1. Introduction to Intellectual Property History and Evolution of Intellectual Property – Sri Lanka’s International Obligations</p> <p>2. Different Types of Intellectual Property</p> <p>patent Conditions of Patentability – patentable Subject matter – industrial applicability (Utility) – Novelty – Inventive Step (Non Obviousness) – Disclosure of the Invention – Infringement – Exclusive Right of a Parent Owner – Enforcement of Rights – Types of infringement – Elements in Establishment of Infringement –Remedies available to the patent Owner – Exploitation of the Patented Invention – Compulsory Licenses – Utility Models</p> <p>Copyright and Neighboring Rights Copyright protection – subject matter of copyright protection –Rights comprised in copyright –neighboring rights – ownership of copyright – Limitations on copyright protection – piracy and infringement – remedies protection of Expressions of Folklore</p> <p>Trade marks Definitions – Trademarks / Services Marks/ Collective Marks – Protectability _Distinctiveness – Exemptions from Registration Rights Protection – Use Requirements – Registration</p>			

Industrial Designs

Evolution of Design Protection – The Legal protection of Industrial Designs – Rights in Industrial Designs – Relation to copyright

Geographical Indications

Protection of Geographical indications at National Level Protection of Geographical Indications at International through Multilateral Treaties / Bilateral Agreements

Protection Against Unfair Competition

The need for Protection – The Legal Basis for Protection - The Acts of Unfair Competition

Franchising

Comparison of Retail Sales, Standard Licensing and Franchising Arrangements – Type of Franchise – Structures for carrying out franchising – Typical Provisions in a Franchise Agreement

Character Merchandising – The Notion of Character – The Concept of Character Merchandising – Forms of Legal Protection

3. Selected International Conventions on Intellectual Property

The Paris Convention of the Protection of Industrial Property – The Berne Convention for the Protection of Literary and Artistic Works – the Patent Cooperation Treaty – The Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to the Madrid Agreement – The Hague Agreement concerning the International Deposit of Industrial Designs. The Trademark Law Treaty Conventions on Classification – The International Conventions in the Field of Neighboring Rights – The International Convention for the Protection of New Varieties of Plants – World Trade Organization (WTO). The Agreement on Trade – Related Aspects of Intellectual Property Rights (TRIPS) – WIPO Copyright Treaty – WIPO Performances and Phonograms Treaty

Role of International Organizations

Concerns of Developing Countries

4. Current Trends

ASSESSMENT CRITERIA	% OF MARKS
Semester-end Examination:	70
Assignments:	20
Class Quizzes:	10
RECOMMENDED READINGS	
<ol style="list-style-type: none">1. WIPO, Background Reading Material on Intellectual Property2. WR Cornish, Intellectual Property3. WR Cornish, Cases and Materials on Intellectual Property4. Phillips and Firth, Introduction to Intellectual Property Law5. Goldstein, Copyright, Patent, Trademark and Related State Doctrines6. DM Karunaratne, A Guide to Law of Trade Marks and Services Marks in Sri Lanka7. Edmund W Kitch and Harvey S Perlman, Legal Regulation of the Competitive Process	