

॥न्यायस्तत्र प्रमाणं स्यात् ॥



National Law University, Delhi



Global Institute of Intellectual Property (GIIP)



Post Graduate Diploma in IPR and Patent Law

IPR & LAW



Make your mark and lease your signature as you lead a bold new world of knowledge originality and power

॥न्यायस्तत्र प्रमाणं स्यात् ॥



National Law University, Delhi
Address : Sector-14, Dwarka,
New Delhi – 110 078
E-mail : info@nludelhi.ac.in
Website : www.nludelhi.ca.in



Global Institute of Intellectual Property (GIIP)
Address: 45, First Floor, Okhla Estate, Phase III
New Delhi - 110 020 (India)
Phone: +91-11-3088 4000 / 01
Mobile: +91-93102 55570, Fax: +91-11-3088 4034
Email: giip.delhi@giipinfo.com, Website: www.giipinfo.com



HUGHES COMMUNICATIONS INDIA Ltd.,
Plot No. 1, Sector 18, Electronic City,
Gurgaon 122015 Haryana, India
Tel: 0124 - 307 2500
Fax: 0124 - 239 8835 / 40
Website: www.hnge.in

For the list of HughesNet classrooms in your city, please log onto www.hnge.in

HughesNet | GLOBAL EDUCATION



About National Law University, Delhi

NATIONAL LAW UNIVERSITY, DELHI, established in 2008 by Act No. 1 of 2008 of National Capital Territory of Delhi and with the initiative of the 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's State of Art infrastructure is near completion at Sector 14, Dwarka, New Delhi with all facilities for best of learning and research.

The University is offering a 5-year integrated B.A.,LL.B (Hons.) Degree Programme with effect from the Academic Year 2008-09. The LL.M. and Ph.D. programs will be launched from the year



Academic Partner

Global Institute of Intellectual Property (GIIP) is a leading Intellectual Property (IP) service company, co-headquartered at New Delhi, India and at San Jose, USA. It has been set up by a team of successful entrepreneurs, Patent Agents and IP Attorneys from India and USA. GIIP provides Consulting, Technical and Training services covering IP generation, protection, commercialization and management. We pride ourselves on our exceptional service, which is supported by our excellent and highly trained staff, coupled with our modern and sophisticated IT systems. Working together, our people and our technology provide international class service.

GIIP's training division has put together unique international - standard courses that are conducted by Indian and international IP practitioners, to provide comprehensive knowledge about different type of Intellectual Properties (IP), related statutes, filing procedures, infringement issues and strategies for protection with focus on **US and Indian IP laws and procedures**. We aim at training science, engineering and law graduates, post graduates, Ph.Ds, working professionals and corporate teams to cater to the growing needs of knowledge-based, innovation-driven economy. In a short span of two years, GIIP has already partnered with IIT Delhi, National Law University Delhi, University of Washington (USA), William Mitchell College of Law (USA), Ministry of MSME (GOI), Computer Society of India and had participation from companies like GAIL, ALSTOM, RITES, SAIL, Reliance Industries, Panacea, Ranbaxy, TVS Motors, Schneider Electric, etc.

Introduction

About Hughes

Hughes Communications India Ltd. is a premier Network Service Provider offering a mix of satellite and terrestrial media solutions. It provides solutions in the areas of Networking, System Integration, Managed Network Services, Security, Transaction Services, Intranet, Internet and real time Interactive Education.

With a base of more than 300 customers and over 25000 VSATs installed in more than 3000+ cities and towns in the country, Hughes has the largest market share when shared and captive networks are considered together (Comsys report 2005).

Hughes has partnered with ISRO (Indian Space Research Organization) in its most ambitious project, to build India's first two-way audio video e learning platform, across five states under its Edusat project. This project is imparting elementary and higher education programs through a network of 7 central studios and 500 classrooms (at this moment) and is benefitting over 10000 students.

HughesNet Global Education, previously known as DiRECWAY Global Education, has redefined the next generation of education i.e. real-time Interactive Onsite Learning (IOL). It has live, interactive, real-time, two way video, voice and data classes. HughesNet platform, first of its kind in the country, started in 2003, seamlessly integrates the strengths of the traditional method of education - classroom teaching - with the latest in technology.



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.

Objective:

The main objective of this one year Post Graduate Diploma program is to equip participants with knowledge of various forms of Intellectual Property Rights and to create specific technical, legal and management skills related to protection, infringement and commercialization of respective Intellectual Property Right. This unique program will provide comprehensive knowledge of the laws and process associated to different forms of intellectual property rights (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 technical and legal professionals, students aspiring for a lucrative career in Patents and IP Related services.
- **240 hours of curriculum**, prepared by Academicians, IP Attorneys, Patent Examiners & Agents from the US, Europe and India, keeping the industry requirements at core.
- **30 Hours of 'On Campus' interaction** with focus on contemporary issues and practical sessions related to IP and Patents.
- **Module related assignments, group discussions and examination** for each module of the program.
- Interactive **class room sessions** and **case method** based mode of instructions.
- **Highly qualified, experienced faculty** – Academicians from leading Institutes, Universities in India and abroad, practicing IP Attorneys & Patent Agents, Patent Examiners from US, EU and Indian Patents & Trademark Office, Professors from GIIP, NLU, Delhi and IIT, Delhi

Participants Profile

- Graduates / Post Graduates / Ph.Ds of science, biosciences, pharmacy, IT, engineering or legal studies
- Practising Professionals, lawyers, scientists, etc.
- Domain Experts, Inventors, Researchers, and Professionals dealing with IP and Patents issues
- Undergraduate (final year) students of legal, science, engineering are also eligible to apply.

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

Delivery Methodology

- Online interactive lectures using PowerPoint presentations
- Exercises, Discussions
- Case Laws and Case Studies
- Assignments
- Semester End Examination

Duration

One year. (Online interactive lectures to be conducted either once or twice every week. Duration of each lecture to be 2.5-3 hours)

Course Content

SEMESTER 1

MODULE 1: INTRODUCTION TO INTELLECTUAL PROPERTY (14 Sessions)

Objective: This module provides comprehensive knowledge of the various forms of Intellectual Property (IP) and an overview of the International Intellectual Property Rights (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 IPRs, types of IPRs, 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. The important treaties and conventions will be discussed in detail. Role of Dispute Settlement Board under WTO will also be covered.



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 type of IPR, discusses the key concepts, and the governing act/statute.

MODULE 2: PROTECTION AND MAINTENANCE OF INTELLECTUAL PROPERTY (14 Sessions)

Objective: This module discusses different IPRs (Trademarks, copyrights and Trade Secrets) in-depth, the governing statutes, their protection, infringement and enforcement. For each IPR, the related treaties/instruments for international protection will be studied. The Filing Procedure for protection in India and US will be 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, concept of fair use, copyrights in digital environment, 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, EUROPE, VIA PCT) (20 Sessions)

Objective: This module provides details of the Patent Application and Grant Processes in India, US, and Europe. 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 also covers the International Patent Application Filing via Patent Cooperation Treaty (PCT) administered by WIPO. 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 Europe:** 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 application 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) (20 Sessions)

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:** 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 DISPUTE RESOLUTION (16 Sessions)

Objective: This module will introduce some contemporary issues related to IPRs 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 and basics of IP Litigation in US and India. The key concepts related to civil and criminal litigation, role of evidence and discovery process (in US), and key terms used in IP Litigation will also be discussed.
- 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. Alternate Dispute Resolution:** 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 (16 Sessions)

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 are 'On Campus' 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. "ON CAMPUS SESSIONS"** –The On Campus sessions include exercises on Patent Searches, demonstration of Patent Analysis, Claim Drafting, discussions/deliberations/presentations on contemporary issues related to IP and Patents.

Program Fee

Application Fee	Rs. 1,000/-
Program Fee	Rs. 1,35,000/-
Study Material Fee	Rs. 15,000/-
Registration Fee	Rs. 4,000/-
Total Fee	Rs. 1,55,000/-

Campus Fee will be charged extra

Installment Schedule

I	II	III
15th November 2009	15th February 2010	5th May 2010
Rs. 60,000/- + Rs. 7,500/- +Rs.4,000/-	Rs. 45,000/- + Rs. 7,500/-	Rs. 30,000/-

Important Dates

Application Closure Date	5th October 2009
List of Selected Candidates Date (On or After)	25th October 2009
Enrollment and Payment of 1st Installment of fees	15th November 2009
Program Start/End Date	3rd Week November



Note: The fees once paid is Non Transferable / Non Refundable