



**National Law University and Judicial Academy, Assam**

**Programme:**

**Practical Approach towards Industrial Designs**

**Details of Course offered**

**Even Semester – Academic Year 2023-2024**

Sl. No	Course Code	Course Title	L	T	P	CR	CH
1.	OP 607	Practical Approach towards Industrial Designs	2	0	0	2	

**a. Code and Title of the Course:** Practical Approach towards Industrial Designs

**b. Course Credit:** 2 [Total Marks - 50 (End Semester Exam - 30 marks, Project – 20 marks)]

**c. Medium of Instruction:** English

**d. Course Compiled by:** Dr. Pankaj Kumar, DPIIT-IPR Chair Professor, NLUJAA

**e. Course Instructor:** Dr. Pankaj Kumar, DPIIT-IPR Chair Professor, NLUJAA

**1. Course Objectives**

This proposed course is intended to provide the enrolled students of the University a holistic approach to the regime of Industrial Designs issues with a view to acquaint, understand and apply it in the practical field. This course provides a comprehensive study of Industrial Designs Law in India, covering fundamental concepts, legal frameworks, and

practical aspects of design protection. Students will gain an understanding of the registration process, criteria for registration, and the significance of industrial design protection in fostering innovation and creativity.

## **2. Teaching methodology**

The course will be delivered by lecture-cum-discussion method. There will be interactive classroom teaching with the aid of audio-visual facilities, internet, power-point presentations and also practical approach for value-based learning. Important materials shall be provided to the students from time to time. For better understanding of the course, the focus shall be on providing recent developments pertaining to the specific areas and highlighting the important case studies for analysis to the students.

## **3. Expected Outcomes of the Course**

Upon completion of the Law on Industrial Designs course, students will gain a profound understanding of the legal intricacies governing industrial designs in India. They will be equipped to navigate and apply the relevant intellectual property laws, analyze design infringement issues, and contribute effectively in legal practice or related industries.

## **4. Course Evaluation Method**

Students will be assessed through continuous evaluation requiring the students to submit and present allotted projects and appear in the end-semester examination. All examinations and projects are compulsory and no exemption is allowed in order to complete the course successfully.

## **5. Detailed Structure of the Course (specifying course modules and sub-modules)**

### **Module 1: Introduction to Industrial Designs (7 Classes)**

- 1.1. Definition and scope of industrial designs
- 1.2. Historical evolution and development of industrial design protection
- 1.3. Objectives and goals of registering industrial designs
- 1.4. Significance of design protection in promoting innovation and economic development
- 1.5. Case studies illustrating the impact of design registration on industries

### **Module 2: Industrial Design Registration process (7 Classes)**

- 2.1. Step-by-step guide to filing an industrial design application
- 2.2. Preparation of application materials (drawings, images, descriptions)

- 2.3. Electronic filing and procedural requirements
- 2.4. Eligibility criteria for design protection
- 2.5. Novelty and originality requirements
- 2.6. Examination process and grounds for refusal
- 2.7. Importance of design classification in the registration process
- 2.8. International classification systems and their relevance
- 2.9. Processes of registration: Application, Examination, prosecution, hearing etc.
- 2.10. Duration of protection for registered industrial designs

**Module 3: Overview of the Indian Designs Act (7 Classes)**

- 3.1. Detailed study of the Indian Designs Act, 2000
- 3.2. Structure and functions of the Design Offices in India
- 3.3. Key provisions, amendments, and legal developments
- 3.4. Roles and functions of the Controller of Designs

**Module 4: Differentiating Copyright and Design Law for Aesthetic Designs (7 Classes)**

- 4.1. Relationship between industrial designs and other forms of intellectual property
- 4.2. Distinct features of copyright and design law
- 4.3. Criteria for protection under each regime
- 4.4. Case studies illustrating the differentiation for aesthetic designs
- 4.5. Analysis of landmark cases in Indian industrial design law
- 4.6. Examination of legal decisions and their implications
- 4.7. Group discussions on practical scenarios and outcomes

**Note:** *One day for Exam (End Semester Exams) and one day for Presentation of Project totaling to Thirty days.*

**Prescribed Readings:**

*Students are advised to go through the recent editions of the recommended books*

**Books:**

- 1. Law relating to Intellectual Property Rights by V.K. Ahuja
- 2. Intellectual Property Law and Practise by Elizabeth Verkey
- 3. Intellectual Property Laws by P. Narayanan
- 4. Law Relating to Designs by B.L. Wadehra
- 5. Law of Industrial Designs by S. R. Bhattacharjee

6. Intellectual Property Rights: Unleashing the Knowledge Economy by G.R. Dureja

**Articles:**

1. Protection of Industrial Designs in India: An Overview by Shweta Hota (published in the Indian Journal of Intellectual Property Law)
2. Design Patents in India: A Comparative Analysis by Aniruddha Sen (published in the Journal of Intellectual Property Rights)
3. Industrial Design Rights in India: Current Issues and Challenges by Prabuddha Ganguli (published in the International Review of Intellectual Property and Competition Law)
4. Recent Developments in Design Law in India by Vishesh Kumar (published in the Indian Journal of Law and Technology)

**e-Resources:**

1. WIPO Magazine: [https://www.wipo.int/wipo\\_magazine/en/](https://www.wipo.int/wipo_magazine/en/)
2. A Guide to Intellectual Property for Startups: <https://www.wipo.int/publications/en/details.jsp?id=4545&planning=EN>  
[https://www.wipo.int/edocs/pubdocs/en/wipo\\_pub\\_961.pdf](https://www.wipo.int/edocs/pubdocs/en/wipo_pub_961.pdf)
3. Guides: Intellectual Property for Business: <https://www.wipo.int/publications/en/series/index.jsp?id=181>
4. Identifying Inventions in the Public Domain (A Guide for Inventors and Entrepreneurs): [https://www.wipo.int/edocs/pubdocs/en/wipo\\_pub\\_1062.pdf](https://www.wipo.int/edocs/pubdocs/en/wipo_pub_1062.pdf)
5. Inventing the Future: An Introduction to Patents for Small and Medium sized Enterprises: [https://www.wipo.int/edocs/pubdocs/en/wipo\\_pub\\_917\\_1.pdf](https://www.wipo.int/edocs/pubdocs/en/wipo_pub_917_1.pdf)
6. WIPO knowledge repository: <https://tind.wipo.int/?ln=en>
7. IP and Economics: [https://www.wipo.int/econ\\_stat/en/economics/](https://www.wipo.int/econ_stat/en/economics/)

**Websites:**

1. Office of the Controller General of Patents, Design & Trademarks; Department of Industrial Policy & Promotion; Ministry of Commerce & Industry; Government of India: <http://www.ipindia.nic.in/>
2. World Intellectual Property Organisation. <http://www.wipo.int>
3. World Trade Organisation. <http://www.wto.org>