NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

PROGRAMME: B.A.LL.B (HONS.)FYIC

DETAILS OF COURSE OFFERED

EVEN SEMESTER (X) – ACADEMIC YEAR .....

SL. NO	COURSE CODE	COURSE TITLE	L	T	P	CR	CH
1	1002 IP SP VII	LIFE PATENT IN BIOTECHNOLOGY	4	1		4	

A. CODE AND TITLE OF THE COURSE: 1002 IP SP VII, LIFE PATENT IN BIOTECHNOLOGY

B. COURSE CREDIT: 4 (TOTAL MARKS 200)

C. MEDIUM OF INSTRUCTION: ENGLISH

D. COURSE COMPILED BY: PARTHA PRATIM MEDHI WITH GUIDANCE FROM DR. TOPI BASAR

E. COURSE INSTRUCTOR: PARTHA PRATIM MEDHI

1. COURSE OBJECTIVES

Biotechnology generally concerns the application of cellular and molecular biology to make or modify products or processes. It includes scientific and industrial disciplines focused on understanding and manipulating living or biologically-active material at the molecular level, often involving DNA techniques and the analysis of genetic information. Modern biotechnology is expected to lead to important breakthroughs in many fields, such as health, food, energy, and the environment.

While the patentability criteria prescribed in patent laws apply to inventions in all fields of technology in the same manner, the application of patent law to biotechnological inventions has to deal with a number of particularities that may not exist in the same way in other areas of technology. This paper seeks to provide insight into the expanding scope of Life Patent in Biotechnology, along with the inevitable challenges it brings from a worldwide lens on the matter.

2. TEACHING METHODOLOGY

Collegial presentation

Interactive pedagogical techniques

Case study method

Articles based discussions

Debate oriented and negotiation rounds on critical environmental issues

Legislative and case analysis of Landmark and latest legal instruments and case laws respectively

Documentary screening and open house discussions

Surprise tests on fortnight /weekly basis

3. Course outcomes

- The students after the completion of this course are expected to have fundamental knowledge on Life Patent in Bio-Technology.
- They shall be capable of knowing the core issues Life Patent in Bio-Technology.
- They will be equipped with interest to take up Intellectual Property Law a subject at honours levels, Masters Level and PhD level.

4. Course Evaluation Method

The course evaluation is divided into:
Internal Assessment: 70% (140 Marks)

External Assessment: 30% (60 Marks)

Sl. No.	Internal Assessment	
1.	Assignments(Written/ Presentation Mode)	40 Marks
2.	Seminar/Group Discussion	20 Marks
3.	Internal Examinations	70 Marks
4.	Attendance	10 Marks
5.	Semester End Examination	60 Marks

5. DETAILED STRUCTURE OF THE COURSE (SPECIFYING COURSE

MODULE I
Biotechnology, History of Biotechnology, Biotechnology and Law, Biotechnology and IPR regime, Life Patent and Biotechnology.

MODULE II
TRIPS obligations and Patenting in Biotechnology, WTO and Patents in Biotechnology, WTO Patents Rules, WIPO and Biotechnology Patents,

MODULE III
Nature and types of Biotechnology Patents, Product Patent, Process Patent, Biotech Patent Doctrine: Novelty, Non-obviousness, Utility, Inventive step, Non-Patentable Biotechnological inventions.

MODULE IV
Biotechnology Patenting in India, The new challenges of International Patentability in Biotechnology, Position of Gene Patents in India and abroad, Ethics and Patentability in Biotechnology.

6. PRESCRIBED READINGS

a) Alan T. Bull, Geoffrey Holt, Malcolm D. Lilly, Biotechnology: International Trends and Perspectives, Oxford and IBH publishing Co. Pvt. Ltd, New Delhi, Indian Edition, 1983.

b) Alberts, Bruce, Bray Dennis, Lewis, Julian, Raff, Martin, Roberts, Keith and Watson, James.D, Molecular Biology of the Cell, Third Edition, Garland Publishing, New York, 1994.

c) Aldridge, Susan, The Thread of Life: The story of genes and genetic engineering, Cambridge University Press, United Kingdom, 1996.
d) Ariel G. Loewy, Philip Slekevitz, Cell structure and functions, Second edition, Oxford and IBH publishing Co. Pvt. Ltd, New Delhi, 1974.
e) Bachhawat B.K, Biotechnology: A Perspective," Growth of Biotechnology in India-A Tribute to Dr. S. Ramachandran", Narosa Publishing House, 1992.
f) Bauer.W and Gaskell.G, Biotechnology-The making of a global controversy, Cambridge University press, Cambridge, United Kingdom, 2002.
g) Baxier J.W, John P. Sinnott, William Joseph Cotreau, Jessica M. Sinnott, World Patent Law and practice, Volume:IIA, Lexis Nexis Mathew Bender and Company, Inc., 2002.
h) Berg, Jeremy M, Tymoczko, John L, and Stryer, Lubert, Biochemistry, Fifth edition, H.Freeman and Company, New York, 2002.
i) Brian Cain, Legal aspects of Gene technology, Sweet and Maxwell, London, 2003.
j) Brier, Crespi and Straus, Biotechnology and Patent Protection, OECD, Paris, 1985.
k) Bull, Holt and Lilly, Biotechnology, International Trends and Perspectives, OECD, Paris, 1982.
l) Catherine Colston, Principles of Intellectual Property Law, Cavendish Publishing Ltd, London 1999.
