

LL.M  
 Paper Code: IPR 102

Subject: Law of Patent  
 L4 RTDA2 C5

## A. Introduction

**Objective:** The goal of the patent system is to encourage inventors to advance the state of technology by awarding them special rights to benefit from their inventions. The core objective of the patent law is to promote the progress of science and useful arts. The intellectual property right is a legal right that is granted to the inventor to protect his or her inventions.

|            |   |
|------------|---|
| COIPR102.1 | The student will establish an understanding of the underlying principles, reasoning, key doctrines, and legal framework of patent protection.                                   |
| COIPR102.2 | The student will get more clear understanding of international convention and treaties and their importance in bringing various modern legislations.                            |
| COIPR102.3 | To exhibit knowledge and comprehension of the proper process for patent application, acquisition, and enforcement at the national and international levels.                     |
| COIPR102.4 | The student will learn various penalties for the infringement with the exceptions.  |
| COIPR102.5 | The student will learn to recognise the legal problems that can develop in the context of innovation and patenting.   |
| COIPR102.6 | Student will comprehend the new and developing concerns, concerning technology and human rights under the patent system and to develop cooperative solutions to these problems. |

## C. Program Outcomes

|      |   |
|------|---|
| PO1. | Critical Thinking: Take informed actions after understanding the legal provisions well and identifying the assumptions that frame our thinking and actions, checking out the degree to which these assumptions are accurate and valid, and looking at our ideas and decisions (intellectual, organizational, and personal) from different perspectives. |
|------|---|

|      |  |
|------|--|
| PO2. | Effective Communication: To improve the communication skills and oratory skills through mootng, debating, negotiating and mediation exercises.   |
| PO3. | Social Interaction: Elicit views of others, mediate disagreements and help reach conclusions in group settings.  |
| PO4. | Effective Citizenship: Demonstrate empathetic social concern and equity centred national development, and the ability to act with an informed awareness of social and legal issues and participate in civic life through volunteering. |
| PO5. | Ethics: To inculcate professional ethics and to recognize different value systems including your own, understand the moral dimensions of your decisions, and accept responsibility for them.   |
| PO6. | Environment and Sustainability: Understand the role of Law regarding issues of environmental and sustainable development.  |
| PO7. | Self-directed and Life-long Learning: Acquire the ability to engage in independent and life-long learning in the broadest context socio-technological changes  |

#### D. Program Specific Outcomes

|        |  |
|--------|--|
| PSO.1. | Understand, interpret, and analysis the facts with the help principle of law                                   |
| PSO.2. | Knowledge to complex problem situations and offer potential solutions within a simulated professional context; |
| PSO.3. | Ability to conduct effective research and develop the critical skill about the legal & Socio-economic matters; |
| PSO.4. | Demonstrate communication skills, including oral advocacy;   |
| PSO.5  | Articulate their independent views over contemporary crucial constitutional issues;                            |
| PSO.6  | Understanding of different political, economic, cultural and legal structure of ancient and medieval periods.  |

#### E. Pedagogy:

The pedagogy would be the combination of the following techniques:-

- Lectures
- Presentations
- Classroom Activities
- Discussions, Questions & Answers
- Case Study

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Approved by BCI & NCTE. Recognised under 2(f) of UGC Act of 1956



## F. Evaluation

| Criteria            | Description   | Maximum Marks |
|---------------------|---------------|---------------|
| Internal Assessment | Mid-Term Exam | 10            |
|                     | PSDA          | 5             |
|                     | Assignment    | 10            |
| External Assessment | End-Term Exam | 75            |
| TOTAL               |               | 100           |



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## G. Syllabus UNIT — I: Introduction

Justification and theories of patent protection

Evolution of Patents in India

International Treaties on Patents

Paris Convention

. TRIPS Agreement

i. Budapest Treaty

v. PCT

## UNIT — II: Patentability and Procedures for Grant of Patents

a. Patentable and Non Patentable Inventions

b. Pre-requisites

i. Novelty: Prior Art and Anticipation

ii. Inventive Step, Person Skilled in the Art

iii. Industrial Application

c. Procedures for Filing Application

d. Specifications — Provisional and Complete Specifications

e. Claim Interpretations and Constructions

f. Priority date

Pre-Grant and Post Grant Opposition

Grant and sealing of Patents

Rights of Patentee

Term of Patent

Surrender, Restoration and Revocation of Patents

1. Patent of Addition

## UNIT — III: Limitations, Exceptions & Infringements

Licensing — Voluntary & Non — Voluntary

Assignment

Fair Use

Use and acquisition of inventions by Central Government

Exhaustion of Patents and Parallel Imports

Infringements & Remedies

## Unit - IV: Patent Authorities, Patent Agents & Emerging

a. Controller General of Patent

b. Patent Examiners

c. Patent Agents

d. Emerging Issues

i. Patents & Computer Programs

ii. Business Method Patents & Utility Model Patents

iii. AI Inventions and Patents

iv. Patent and Human Rights

v. Public Health, Patent waiver and Related Issues

vi. TK and IK vis a vis Patents

vii. Outer Inventions and Patents



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### Text Books:

1. Craig A. Nard, *The Law of Patents*, 6th Edn., Aspen Publishing; 2022
2. Peter S Menell, Mark A Lemley and Robert P Merg, *Intellectual Property in the New Technological Age: Perspectives, Trade Secrets and Patents*, Clause 8 Publishing, 2022
3. Emmanuel Kolawole Oke, *Patents, Human Rights, and Access to Medicines*, Cambridge University Press, 2022
4. Janice M. Mueller, *Aspen Treatise, for Patent. Law*, 6th Edn., Aspen Publishing; 2020
5. Jyh-An Lee, Reto Hilty and Kung-Chung Liu (eds.) *Artificial Intelligence and Intellectual Property*, Oxford University Press, 2021
6. Feroz Ali Khader, *The Law of Patents-With a Special Focus on Pharmaceuticals in India*, LexisNexis, 2<sup>nd</sup> Edition, 2011
7. Elizabeth Verkey, *Law of Patents*, Eastern Book Company, 2<sup>d</sup> Edition, 2012

### References:

1. Richard Miller, Guy Burkill, Hon Judge Birss, Douglas Campbell, *Terrell on the Law of Patents*, Sweet and Maxwell, 2010
2. Feroz Ali Khader, *The Touchstone Effect: The Impact Of Pre-Grant Opposition On Patents*, Lexis Nexis, 2009
3. Donald S Chisum, *Chisum on Patents* (17 Volumes), Lexis Nexis, 2012
4. Janice M. Mueller, *Patent Law*, Wolters Kluwer, 2013
5. Martin J. Adelman et al., *Patent*
6. Amy L. Landers, *Understanding Patent Law*, Lexis Nexis, 2012.
7. Ananth Padmariabhan, *Intellectual. Property Rights Infringement and Remedies*, Lexis Nexis, 2012.



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## I. Lecture Plan

| Lecture No. | Topic(s)  | Mode of Delivery       | Corresponding CO | Mode of Assessing CO         |
|-------------|---|------------------------|------------------|------------------------------|
| 1           | Justification and theories of patent protection.  | Lecture                | CO1              | MCQs & Subjective Assessment |
| 2           | Continue  | Lecture                | CO1              |                              |
| 3           | Evolution of Patents in India   | Lecture                | CO2              |                              |
| 4           | Continue  | Lecture/<br>Discussion | CO2              |                              |
| 5           | International Treaties on Patents<br>i. Paris Convention<br>ii. TRIPS Agreement<br>iii. Budapest Treaty<br>iii. PCT                     | Lecture/<br>Discussion | CO2              |                              |
| 6           | Continue  | Lecture/<br>Discussion | CO2              |                              |
| 7           | Patentable and Non Patentable Inventions  | Lecture/<br>Discussion | CO3              |                              |
| 8           | Pre-requisites:-<br>A) Novelty: Prior Art and Anticipation<br>B) Inventive Step, Person Skilled in the Art<br>C) Industrial Application |                        | CO3              |                              |
| 9           | Continue  | Lecture/<br>Discussion |                  |                              |
| 10          | Continue  |                        |                  |                              |
| 11          | Procedures for Filing Application   | Lecture/<br>Discussion | CO3              |                              |
| 12          | Continue  | Lecture/<br>Discussion |                  |                              |

|    |  |                        |     |  |
|----|--|------------------------|-----|--|
| 13 | Specifications — Provisional and Complete Specifications |                        | CO3 |  |
| 14 | Claim Interpretations and Constructions                  | Lecture/               | CO3 |  |
| 15 | Priority date  | Lecture/<br>Discussion | CO3 |  |
| 16 | Pre-Grant and Post Grant Opposition                      | Lecture/<br>Discussion | CO3 |  |
| 17 | Grant and sealing of Patents                             | Lecture/<br>Discussion | CO3 |  |
| 18 | Rights of Patentee                                       | Lecture/<br>Discussion | CO3 |  |
| 19 | <i>Continue</i>  | Lecture/<br>Discussion | CO3 |  |
| 20 | Term of Patent   | Lecture                | CO3 |  |
| 21 | Surrender, Restoration and Revocation of Patents         | Lecture                | CO3 |  |
| 22 | Patent of Addition                                       | Lecture                | CO3 |  |
| 23 | Licencing — Voluntary & Non — Voluntary                  | Lecture                | CO5 |  |
| 24 | <i>Continue</i>  | Lecture/<br>Discussion |     |  |
| 25 | Assignment   | Lecture/<br>Discussion | CO5 |  |
| 26 | Fair Use   | Lecture/<br>Discussion | CO4 |  |
| 27 | Use and acquisition of inventions by Central Government  |                        | CO4 |  |
| 28 | Exhaustion of Patents and Parallel Imports               | Lecture/<br>Discussion | CO4 |  |
| 29 | <i>Continue</i>  | Lecture                |     |  |
| 30 | Infringements & Remedies                                 |                        | CO4 |  |
| 31 | <i>Continue</i>  |                        |     |  |

|    |  |                        |     |  |
|----|--|------------------------|-----|--|
| 32 | Controller General of Patents<br>Patent Examiners<br>Patent Agents | Lecture                | CO6 |  |
| 33 | Emerging Issues  |                        | CO6 |  |
| 34 | Patents & Computer Programs  | Lecture                | CO6 |  |
| 35 | Business Method Patents &<br>Utility Model Patents                 |                        | CO6 |  |
| 36 | <i>Continue</i>  |                        |     |  |
| 37 | AI Inventions and Patents<br>Patent and Human Rights               |                        | CO6 |  |
| 38 | Public Health, Patent Waiver<br>and Related Issues                 | Lecture/<br>Discussion | CO6 |  |
| 39 | TK and IK <i>vis a vis</i> Patents                                 |                        | CO6 |  |
| 40 | Outer Space Inventions and<br>Patents                              | Lecture/<br>Discussion | CO6 |  |
| 41 | Revision   |                        |     |  |
| 42 | Class Test   |                        |     |  |

### J. . Course Articulation Matrix: (Mapping of COs with POs& PSOs)

| CO Number      | PO1 | PO2 | PO3 | PO4 | PO5 | PO6 | PO7 | PSO1 | PSO2 | PSO3 | SO4 | PSO05 | SO06 |
|----------------|-----|-----|-----|-----|-----|-----|-----|------|------|------|-----|-------|------|
| COIPR102.<br>1 | 1   | -   | 1   | -   | -   | -   | 1   |      |      |      |     |       |      |
| COIPR102.<br>2 | -   | 1   | -   | -   | -   | -   | 2   |      |      |      |     |       |      |
| COIPR102.<br>3 | -   | -   | 1   | 1   | 1   | -   | 2   |      |      |      |     |       |      |
| COIPR102.<br>4 | -   | 1   | 1   | -   | 2   | -   | 1   |      |      |      |     |       |      |
| COIPR102.<br>5 | 1   | 1   | 1   | -   | -   | -   | 1   |      |      |      |     |       |      |



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|                |   |   |   |   |   |   |  |  |  |  |  |  |  |
|----------------|---|---|---|---|---|---|--|--|--|--|--|--|--|
| COIPR102.<br>6 | 1 | 2 | 2 | 1 | - | 2 |  |  |  |  |  |  |  |
|----------------|---|---|---|---|---|---|--|--|--|--|--|--|--|

“-”- No Correlation; 1-Low Correlation; 2- Moderate Correlation; 3-Substantial Correlation

### K. Expectations from Students:

- Actively participate in the classroom discussions /seminar
- Follow the class rules
- Must be on time
- Must be regular in the class and maintain minimum 75% attendance as per GGSIP University norms)

### L. Faculty Contact Details:

|                              |                                  |
|------------------------------|----------------------------------|
| <b>Name:</b>                 | Barkha Vats                      |
| <b>Designation:</b>          | Asst. Professor                  |
| <b>Room &amp; Block No.:</b> |                                  |
| <b>Email</b>                 | barkhavatsfimtofficial@gmail.com |

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## Second Semester

### BA LLB

Paper Code: IPR 104

Subject: Law Relating to Trademarks

Credits: 06

### A. Introduction

**Objective:** This course is designed to give an overview / survey of trademarks and trademark law and practice in countries around the world. There will also be some attention given to various international treaties, conventions and agreements. The focus will vary from historical, philosophical, legal and even practical topic.

|              |   |
|--------------|---|
| CO IPR 104.1 | To have an extensive career-oriented course for achieving proficiency in International and Indian Trademark Law                 |
| CO IPR 104.2 | Discuss most relevant and important provisions of international Conventions, Treaties and instruments of Trademark law          |
| CO IPR 104.3 | Examine the shifting of International perspective toward Advanced Trademark Law from conventional approach of Trademark         |
| CO IPR 104.4 | Evaluate the logic and arguments used in international legal decisions themselves and discussions of international legal issues |
| CO IPR 104.5 | Evaluate the bone of contention in Indian and International Trademark Law   |
| CO IPR 104.6 | Analysis of Impact Registration, infringement and assignment  |

### B. Program Outcomes

|      |   |
|------|---|
| PO1. | Achieving a fair and sound understanding of the concepts of the International and Indian Trademark Law.   |
| PO2. | Demonstrating good comprehension of Trademark Law in areas of aspirant's interest or professional field   |
| PO3. | Application of basic research methods, data analysis, and interpretation in the field of Trademark Law.   |
| PO4. | Identification of contentions of International and National Trademark Law, evaluate problem-solving strategies, and develop science-based solutions |
| PO5. | Evaluation, integration and analysis of registration and infringement of trademark law  |

| Lecture No. | Topic(s)                                | Mode of Delivery       | Corresponding CO | Mode of Assessing CO              |
|-------------|---|------------------------|------------------|-----------------------------------|
| 1           | Overview of IPR                         | Lecture                | CO1              | Oral questions asked in the class |
| 2           | Overview of Trademark Law               | Lecture                | CO1              |                                   |
| 3           | Evolution of Trademark in India         | Lecture                | CO1              | Class Debate                      |
| 4           | Justification                           | Lecture/<br>Discussion | CO1              |                                   |
| 5           | Overview of International Treaties:     | Lecture/<br>Discussion | CO1              | Written Class test                |
| 6           | Paris Convention                        | Lecture/<br>Discussion | CO1              |                                   |
| 7           | Madrid Agreement and Protocol           | Lecture/<br>Discussion | CO1              |                                   |
| 8           | <i>Continue</i>                         |                        |                  |                                   |
| 9           | NICE Agreement                          | Lecture/<br>Discussion | CO1              | Quiz                              |
| 10          | Trademark Law Treaty                    |                        | CO1              |                                   |
| 11          | Singapore Law Treaty                    | Lecture/<br>Discussion | CO2              |                                   |
| 12          | TRIPS                                   | Lecture/<br>Discussion | CO3              | Group Discussion                  |
| 13          | <i>Continue</i>                         |                        |                  |                                   |
| 14          | Kinds of Trademarks                     | Lecture/<br>Discussion | CO3              |                                   |
| 15          | Registered and Unregistered Trademarks, | Lecture/<br>Discussion | CO3              | Group Discussion                  |
| 16          | <i>Continue</i>                         | Lecture/<br>Discussion | CO3              |                                   |

|    |   |                        |      |                  |
|----|---|------------------------|------|------------------|
| 17 | Conventional & Non-Conventional Trademarks, Service Mark                    | Lecture/<br>Discussion | CO3  |                  |
| 18 | Collective Marks, Certification Marks                                       | Lecture/<br>Discussion | CO3  |                  |
| 19 | Well Known Trademarks   | Lecture/<br>Discussion | CO3  |                  |
| 20 | Registration of Trademarks  | Lecture                | CO3  | Written Test     |
| 21 | Pre-requisites b. Absolute and Relative Grounds for Refusal of Registration | Lecture                | CO3  |                  |
| 22 | Continue  | Lecture                | CO 2 |                  |
| 23 | Concept of Deceptive Similarity and its Applicability in Registration       | Lecture                | CO4  |                  |
| 24 | Procedure for Registration  | Lecture/<br>Discussion | CO3  |                  |
| 25 | National and International Registration                                     | Lecture/<br>Discussion | CO3  | Class discussion |
| 26 | Continue  | Lecture/<br>Discussion | CO4  |                  |
| 27 | Commercial Exploitation of Trademarks                                       |                        |      |                  |
| 28 | Continue  | Lecture/<br>Discussion | CO4  |                  |
| 29 | Rights of Proprietor  | Lecture                | CO4  |                  |
| 30 | Assignment  |                        | CO4  |                  |
| 31 | Licensing   |                        | CO4  |                  |
| 32 | Transmission of Trademark   | Lecture                | CO5  | Class Debate     |



|    |                                    |                        |      |   |
|----|------------------------------------|------------------------|------|---|
| 33 | IPAB                               |                        | CO5  |   |
| 34 | Infringement                       | Lecture                | CO5  |   |
| 35 | Continue                           |                        | CO5  |   |
| 36 | Continue                           |                        | CO5  | Oral questions asked during the lecture |
| 37 | Goodwill                           |                        | CO 5 |   |
| 38 | Remedies                           | Lecture/<br>Discussion | CO5  |   |
| 39 | Trademark Issues in<br>Cyberspace  |                        | CO5  |   |
| 40 | Continue                           | Lecture/<br>Discussion | CO5  |   |
| 41 | Unlawful usage of<br>Trademark Law |                        | CO6  |   |
| 42 | Class test                         |                        | CO6  | Class Debate                            |
| 43 | Revision Unit 1                    |                        | CO6  |   |
| 44 | Revision Unit 2                    |                        |      |   |
| 45 | Revision Unit 3                    |                        |      |   |
| 46 | Revision Unit 4                    |                        |      |   |

#### D. Program Specific Outcomes

|        |  |
|--------|--|
| PSO.1. | Understand, interpret, and analysis the facts with the help principle of law                                   |
| PSO.2. | Knowledge to complex problem situations and offer potential solutions within a simulated professional context; |
| PSO.3. | Ability to conduct effective research and develop the critical skill about the legal & Socio-economic matters; |

|        |   |
|--------|---|
| PSO.4. | Demonstrate communication skills, including oral advocacy;  |
| PSO.5  | Articulate their independent views over contemporary crucial constitutional issues;                           |
| PSO.6  | Understanding of different political, economic, cultural and legal structure of ancient and medieval periods. |

### E. Pedagogy:

The pedagogy would be the combination of the following techniques:-

- Lectures
- Presentations
- Classroom Activities
- Discussions, Questions & Answers
- Judgment analysis

### F. Evaluation

| Criteria                   | Description                   | Maximum Marks |
|----------------------------|-------------------------------|---------------|
| <b>Internal Assessment</b> | Mid-Term Exam                 | 10            |
|                            | PSDA                          | 5             |
|                            | Research Paper/<br>Assignment | 10            |
| <b>External Assessment</b> | End-Term Exam                 | 75            |
| <b>TOTAL</b>               |                               | <b>100</b>    |

## G.Course Articulation Matrix: (Mapping of COs with Pos)

| CO Number   | PO1 | PO2 | PO3 | PO4 | PO5 | PO6 | PSO1 | PSO2 | PSO3 | PSO4 | PSO5 | PSO6 |
|-------------|-----|-----|-----|-----|-----|-----|------|------|------|------|------|------|
| COIPR 201.1 | 1   | 1   | 2   | 2   | 1   | -   | -    | 2    | 1    | 2    | 1    | -    |
| COIPR 201.2 | 1   | 2   | 1   | 2   | 1   | -   | 1    | 2    | 1    | 2    | 1    | -    |
| COIPR 201.3 | 1   | 1   | 2   | 1   | 2   | -   | -    | 1    | 2    | 1    | 2    | 1    |
| COIPR 201.4 | 1   | 1   | 2   | 2   | 1   | -   | 1    | 2    | 1    | 2    | 1    | -    |
| COIPR 201.5 | 1   | 2   | 2   | -   | 1   | -   | 1    | 2    | 1    | 2    | 1    | -    |
| COIPR 201.6 | 1   | 1   | 2   | -   | 1   | -   | 1    | 2    | 1    | 2    | 1    | -    |

Correlation; 1-Low Correlation; 2- Moderate Correlation; 3-Substantial Correlation

## H. Expectations from Students:

- Actively participate in the classroom discussions /seminar
- Follow the class rules
- Must be on time
- Must be regular in the class and maintain minimum 75% attendance as per GGSIP University norms)

## I. Faculty Contact

### Details:

|                     |                                      |
|---------------------|--------------------------------------|
| <b>Name:</b>        | Dr. Shivani Singh                    |
| <b>Designation:</b> | Assistant Professor                  |
| <b>Email</b>        | drshivanisinghfimtofficial@gmail.com |

## Second Semester

Paper Code: IPR 106

Subject: Law of Designs, Layout Designs and Geographical Indications

L4 PSDA3 C5

### A. Introduction

**Objective:** The paper is aimed to enhance the critical and analytical skills to equip the students with laws of design with Design Act, 2000 and geographical indications.

### B. Course Outcomes

|             |  |
|-------------|--|
| COLLM 106.1 | To acknowledge the students about the meaning and importance of Design Act, 2000                 |
| COLLM 106.2 | To interpret and analyse the procedure for registration of GI                                    |
| COLLM 106.3 | To understand the practical aspects of layout designs and registration process                   |
| COLLM 106.4 | To comprehend the requirement of IP entrepreneurship and starts up in the context of Design law. |
| COLLM 106.5 | To develop an independent study of geographical and design under IPR law.                        |
| COLLM 106.6 | To make law socially relevant for the future legal professionals.                                |

### C. Program Outcomes

|      |   |
|------|---|
| PO1. | Critical Thinking: Take informed actions after understanding the legal provisions well and identifying the assumptions that frame our thinking and actions, checking out the degree to which these assumptions are accurate and valid, and looking at our ideas and decisions (intellectual, organisational, and personal) from different perspectives. |
| PO2. | Effective Communication: To improve the communication skills and oratory skills through mootings, debating, negotiating and mediation exercises.  |
| PO3. | Social Interaction: Elicit views of others, mediate disagreements and help reach conclusions in group settings.   |
| PO4. | Effective Citizenship: Demonstrate empathetic social concern and equity centred national development, and the ability to act with an informed awareness of social and legal issues and participate in civic life through volunteering.  |



|      |  |
|------|--|
| PO5. | Ethics: To inculcate professional ethics and to recognize different value systems including your own, understand the moral dimensions of your decisions, and accept responsibility for them. |
| PO6. | Environment and Sustainability: Understand the role of Law regarding issues of environmental and sustainable development.  |
| PO7. | Self-directed and Life-long Learning: Acquire the ability to engage in independent and life-long learning in the broadest context socio-technological changes                                |

#### D. Program Specific Outcomes

|        |  |
|--------|--|
| PSO.1. | Understand, interpret, and analysis the facts with the help principle of law                                   |
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| PSO.5  | Articulate their independent views over contemporary crucial constitutional issues;                            |
| PSO.6  | Understanding of different political, economic, cultural and legal structures of ancient and medieval periods. |

#### E. Pedagogy:

The pedagogy would be the combination of the following techniques:-

- Lectures
- Presentations
- Classroom Activities
- Discussion and Class Test
- Case Study

#### F. Evaluation

| Criteria            | Description   | Maximum Marks |
|---------------------|---------------|---------------|
| Internal Assessment | Mid-Term Exam | 10            |
|                     | PSDA          | 5             |
|                     | Assignment    | 10            |
| External Assessment | End-Term Exam | 75            |
| TOTAL               |               | 100           |

## G. Syllabus

### UNIT-I: Industrial Designs

(Lectures-10)

- Introduction
- Evolution
- Justification
- International Treaties
  - Paris Convention
  - Hague Agreement
  - Locarno Agreement
  - TRIPS
- Industrial Design Act, 2000
- Interface Between Design, Copyrights and Trademarks

### UNIT-II: Semiconductor and Layout Designs

(Lectures-10)

- Introduction
- Evolution
- Justification
- International Treaties:
  - Washington Treaty
  - TRIPS
- The Semiconductor Integrated Circuits Layout-Designs Act, 2000

### UNIT III: Geographical Indications-I

(Lectures-10)

- Introduction
- Evolution
- Justification
- International Treaties:
  - Paris Convention
  - Madrid Agreement
  - Lisbon Agreement
  - TRIPS Agreement

### UNIT-IV: Geographical Indications-II

(Lectures-10)

- Protection of GI at National Level
- Geographical Indication of Goods (Protection & Registration) Act, 1999
- Higher Level of Protection of GIs and TRIPS, Article 23 Controversy
- Genericides of Geographical Indications

### H. References

#### Text Books

- Ashwani Kumar Bansal, Design Law, Universal Law Publishing Company, 2012.
- Latha R Nair & Rajendra Kumar, Geographical Indications: A Search For Identity, Lexis Nexis, 2005

#### References:

- Tapan Kumar (Ed.), WTO, TRIPS and GIs, New Century Publications, 2014
- Dev Gangjee, Relocating the Law of GI, Cambridge University Press, 2012

3. K C Kailasam and Ramu Vedaraman, Law of Trademarks including International Registration under Madrid Protocol and Geographical Indications, Lexis Nexis, 2013

## I. Lecture Plan

| Lecture No. | Topic(s)   | Mode of Delivery       | Corresponding CO | Mode of Assessing CO         |
|-------------|--|------------------------|------------------|------------------------------|
| 1           | Introductory Session   | Lecture                | CO1              | MCQs & Subjective Assessment |
| 2           | OVERVIEW OF Industrial DESIGN  | Lecture                | CO1              |                              |
| 3           | Evolution, Importance And Significance Of Industrial Designs               | Lecture                | CO1              |                              |
| 4           | Evolution, Importance And Significance Of Industrial Designs               | Lecture/<br>Discussion | CO1              |                              |
| 5           | International Treaties: Paris Convention                                   | Lecture/<br>Discussion | CO1              |                              |
| 6           | International Treaties:Hague Agreement                                     | Lecture/<br>Discussion | CO1              |                              |
| 7           | International Treaties: Locarno Agreement                                  | Lecture/<br>Discussion | CO1              |                              |
| 8           | International Treaties: Trips  | Lecture/<br>Discussion | CO1              |                              |
| 9           | Industrial Design Act 2000   | Lecture/<br>Discussion | CO1              |                              |
| 10          | Industrial Design Act 2000   | Lecture/<br>Discussion | CO1              |                              |
| 11          | Doubt Class  | Discussion             | CO2              |                              |
| 12          | Interface Between Designs, Copyrights And Trademarks                       | Discussion             | CO2              |                              |
| 13          | Evolution, Importance And Significance Of Semiconductor And Layout Designs | Lecture/<br>Discussion | CO2              |                              |
| 14          | Evolution, Importance And Significance Of Semiconductor And Layout Designs | Lecture/<br>Discussion | CO2              |                              |
| 15          | International Treaties: Washington Treaty                                  | Lecture/<br>Discussion | CO2              |                              |
| 16          | Presentation Of Unit 1   | Discussion             | CO2              |                              |

|    |  |                        |     |  |
|----|--|------------------------|-----|--|
| 17 | International Treaties: Trips  | Lecture/<br>Discussion | CO2 |  |
| 18 | The Semiconductor Integrated Circuits Layout Designs Act, 2000         | Lecture/<br>Discussion | CO2 |  |
| 19 | The Semiconductor Integrated Circuits Layout Designs Act, 2000         | Lecture/<br>Discussion | CO2 |  |
| 20 | Revision Class   | Discussion             | CO2 |  |
| 21 | Class Test Of Unit 1   | Discussion             | CO2 |  |
| 22 | Doubt Class Of Unit-1 And 2  | Discussion             | CO2 |  |
| 23 | Evolution, Importance And Significance Of Geographical Indications     | Lecture/<br>Discussion | CO3 |  |
| 24 | Evolution, Importance And Significance Of Geographical Indications     | Lecture/<br>Discussion | CO3 |  |
| 25 | Presentation Of Unit 2   | Discussion             | CO3 |  |
| 26 | Doubt Session  | Discussion             | CO3 |  |
| 27 | International Treaties: Paris Convention                               | Lecture/Disc<br>ussion | CO3 |  |
| 28 | International Treaties: Madrid Agreement                               | Lecture/<br>Discussion | CO3 |  |
| 29 | International Treaties: Lisbon Agreement                               | Lecture/<br>Discussion | CO3 |  |
| 30 | Doubt Class  | Discussion             | CO4 |  |
| 31 | International Treaties: Trips Agreement                                | Lecture/<br>Discussion | CO4 |  |
| 32 | Protection Of Gi At National Level                                     | Lecture/<br>Discussion | CO5 |  |
| 33 | Protection Of Gi At National Level                                     | Lecture/<br>Discussion | CO5 |  |
| 34 | Class Test Of Unit 2   | Discussion             | CO5 |  |
| 35 | Geographical Indication Of Goods (Protection & Registration) Act, 1999 | Lecture/<br>Discussion | CO5 |  |
| 36 | Geographical Indication Of Goods (Protection & Registration) Act, 1999 | Lecture/<br>Discussion | CO5 |  |



|    |  |                        |      |  |
|----|--|------------------------|------|--|
| 37 | Geographical Indication Of Goods (Protection & Registration) Act, 1999 | Lecture/<br>Discussion | CO 5 |  |
| 38 | Higher Level Of Protection Of Gi And Trips, Article 23 Controversy     | Lecture/<br>Discussion | CO5  |  |
| 39 | Higher Level Of Protection Of Gi And Trips, Article 23 Controversy     | Discussion             | CO5  |  |
| 40 | Genericides Of Geographical Indications                                | Lecture/<br>Discussion | CO5  |  |
| 41 | Revision Class Of Unit 1 And 2   | Discussion             | CO6  |  |
| 42 | Revision Class Of Unit 3 And 4   | Discussion             | CO6  |  |

### J. . Course Articulation Matrix: (Mapping of COs with POs& PSOs)

| CO Number   | PO1 | PO2 | PO3 | PO4 | PO5 | PO6 | PO7 | PSO1 | PSO2 | PSO3 | PSO4 | PSO5P | PSO6 |
|-------------|-----|-----|-----|-----|-----|-----|-----|------|------|------|------|-------|------|
| COLLM 106.1 | 1   | 1   | 1   | -   | -   | -   | 3   |      |      |      |      |       |      |
| COLLM 106.2 | 2   | -   | -   | 2   | -   | -   | 3   |      |      |      |      |       |      |
| COLLM 106.3 | 2   | -   | 1   | 1   | -   | 2   | -   |      |      |      |      |       |      |
| COLLM 106.4 | 2   | -   | -   | -   | 1   | -   | 3   |      |      |      |      |       |      |
| COLLM 106.5 | 2   | 2   | 3   | -   | -   | -   | 2   |      |      |      |      |       |      |
| COLLM 106.6 | 3   | -   | -   | 1   | -   | -   | 1   |      |      |      |      |       |      |

“-”- No Correlation; 1-Low Correlation; 2- Moderate Correlation; 3-Substantial Correlation

### L. Faculty Contact

#### Details:

|                              |                                 |
|------------------------------|---------------------------------|
| <b>Name:</b>                 | Ms. Deepanjali                  |
| <b>Designation:</b>          | Assistant Professor             |
| <b>Room &amp; Block No.:</b> | Wing A                          |
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## Second Semester

LLM

Paper Code: CRL112 Subject: Regulation of capital market and foreign investment

### A. Introduction

**Objective:** The paper is aimed that students should have general understanding of the trends in regulation of capital markets and foreign investments.

|            |  |
|------------|--|
| COLLM112.1 | To Understand the role and importance of the financial market.   |
| COLLM112.2 | To Apply and analyze the Concepts relevant to financial markets and financial institutions.  |
| COLLM112.3 | To Understand and analyze the mechanics and regulation of financial instruments and determine how the value of stocks, bonds, and securities are calculated. |
| COLLM112.4 | Evaluate empirical evidence of the market performance and accordingly the role of regulatory authorities to develop the financial market.                    |
| COLLM112.5 | Research and analyze specific problems or issues related to financial markets and institutions.  |
| COLLM112.6 | Identify and discuss the behaviour of individual investors and systematic trading biases, as well as the implications on the capital market efficiency.      |

### C. Program Outcomes

|      |   |
|------|---|
| PO1. | Critical Thinking: Take informed actions after understanding the legal provisions well and identifying the assumptions that frame our thinking and actions, checking out the degree to which these assumptions are accurate and valid, and looking at our ideas and decisions (intellectual, organizational, and personal) from different perspectives. |
| PO2. | Effective Communication: To improve the communication skills and oratory skills through mootings, debating, negotiating and mediation exercises.  |
| PO3. | Social Interaction: Elicit views of others, mediate   |

|      |  |
|------|--|
|      | disagreements and help reach conclusions in group settings.  |
| PO4. | Effective Citizenship: Demonstrate empathetic social concern and equity centred national development, and the ability to act with an informed awareness of social and legal issues and participate in civic life through volunteering. |
| PO5. | Ethics: To inculcate professional ethics and to recognize different value systems including your own, understand the moral dimensions of your decisions, and accept responsibility for them.   |
| PO6. | Environment and Sustainability: Understand the role of Law regarding issues of environmental and sustainable development.  |
| PO7. | Self-directed and Life-long Learning: Acquire the ability to engage in independent and life-long learning in the broadest context socio-technological changes  |

#### D. Program Specific Outcomes

|        |  |
|--------|--|
| PSO.1. | Understand, interpret, and analysis the facts with the help principle of law   |
| PSO.2. | Apply legal Knowledge to complex problem situations and offer potential solutions within a simulated professional context; |
| PSO.3. | Ability to conduct effective research and develop the critical skill about the legal & Socio-economic matters;             |
| PSO.4. | Demonstrate communication skills, including oral advocacy;   |
| PSO.5  | Articulate their independent views over contemporary crucial constitutional issues;  |
| PSO.6  | Understanding of different political, economic, cultural and legal structure of ancient and medieval periods.              |

## E. Pedagogy:

The pedagogy would be the combination of the following techniques:-

- Lectures
- Presentations
- Classroom Activities
- Discussions, Questions & Answers
- Case Study

## F. Evaluation

| Criteria            | Description   | Maximum Marks |
|---------------------|---------------|---------------|
| Internal Assessment | Mid-Term Exam | 10            |
|                     | PSDA          | 5             |
|                     | Assignment    | 10            |
| External Assessment | End-Term Exam | 75            |
| TOTAL               |               | 100           |

## G. Syllabus

|   |               |
|---|---------------|
| <b>Unit-I: Overview of capital market</b>   | (Lectures-10) |
| a. Role, Relevance and Significance of Capital market in national development                           |               |
| b. Capital Market and Economic Reforms: Challenges and prospects  |               |
| c. Introduction to various components of capital market- primary and secondary market , stock exchanges |               |
| <b>Unit-II: Trends in Regulation of Capital Market</b>  | (lecture- 10) |
| a. Securities contract regulation act 1956  |               |
| b. SEBI Act 1992 with particular emphasis on role of SEBI   |               |
| c. Depositories Act 1996  |               |
| <b>Unit-III: Policy framework for regulation of FDI</b>   | (Lectures-10) |
| a. Meaning and forms of FDI   |               |
| b. Foreign Exchange Management Act  |               |
| c. FDI Policy and role of RBI   |               |
| <b>Unit-IV: Bilateral and Multilateral investment agreement</b>   | (Lectures-10) |
| a. Introduction to trends of bilateral and multilateral investment agreements                           |               |
| b. Nature and scope of substantive rights of foreign investors under BIPs                               |               |



## c. Dispute settlement mechanisms under BITs – Investment Arbitrations under ICSID and UNICITRAL

### H. References

#### Text Books

1. Interest Rate Markets- Siddhartha Jha
2. Central Banking 101- Joseph Wang
3. Leveraged Financial Markets- William Maxwell and Mark Shenkman
4. Big Debt Crises- Ray Dalio

#### References:

1. Duguid, Charles, The Stock Exchange (1904)
2. Wacha, D.E., A Financial Chapter in the History of Bombay City (1910)
3. Withers, Harteley, Stocks & Shares (1910)
4. Kale, V. G., Gokhale & Economic Reforms (1916)

#### Digital Resources

| S. No. | Topic/ Title                          | Source/ URL   |
|--------|---------------------------------------|---|
| 1      | Capital market and FDI                | <a href="https://www.investopedia.com/terms/f/fdi.asp">https://www.investopedia.com/terms/f/fdi.asp</a>   |
| 2      | Bilateral and multilateral agreements | <a href="https://www.gibsondunn.com/bilateral-and-multilateral-investments-treaties-what-all-dealmakers-need-to-know/">https://www.gibsondunn.com/bilateral-and-multilateral-investments-treaties-what-all-dealmakers-need-to-know/</a> |

## I. Lecture Plan

| Lecture No. | Topic(s)                                | Mode of Delivery       | Corresponding CO | Mode of Assessing CO         |
|-------------|---|------------------------|------------------|------------------------------|
| 1           | Overview of capital market              | Lecture                | CO1              | MCOs & Subjective Assessment |
| 2           | Role of capital market                  | Lecture                | CO1              |                              |
| 3           | Relevancy of capital market             | Lecture                | CO1              |                              |
| 4           | Significance of capital market          | Lecture/<br>Discussion | CO1              |                              |
| 5           | Capital market and economic reforms     | Lecture/<br>Discussion | CO1              |                              |
| 6           | Challenges of capital market            | Lecture/<br>Discussion | CO1              |                              |
| 7           | Prospects of capital market             | Lecture/<br>Discussion | CO1              |                              |
| 8           | Primary and secondary market            |                        |                  |                              |
| 9           | Stock exchanges                         | Lecture/<br>Discussion | CO1              |                              |
| 10          | Doubt session                           |                        | CO1              |                              |
| 11          | Securities contract regulation act 1996 | Lecture/<br>Discussion | CO2              |                              |
| 12          | Continue                                | Lecture/<br>Discussion | CO3              |                              |

|    |                                 |                        |      |  |
|----|---------------------------------|------------------------|------|--|
| 13 | continue                        |                        |      |  |
| 14 | Continue                        | Lecture/               | CO3  |  |
| 15 | SEBI Act 1992                   | Lecture/<br>Discussion | CO3  |  |
| 16 | Continue                        | Lecture/<br>Discussion | CO3  |  |
| 17 | Continue                        | Lecture/<br>Discussion | CO3  |  |
| 18 | Continue                        | Lecture/<br>Discussion | CO3  |  |
| 19 | Depositories act 1996           | Lecture/<br>Discussion | CO3  |  |
| 20 | Continue                        | Lecture                | CO3  |  |
| 21 | Continue                        | Lecture                | CO3  |  |
| 22 | Doubt class                     | Lecture                | CO 2 |  |
| 23 | Overview of FDI                 | Lecture                | CO4  |  |
| 24 | Meaning of FDI                  | Lecture/<br>Discussion | CO3  |  |
| 25 | Forms of FDI                    | Lecture/<br>Discussion | CO3  |  |
| 26 | Foreign Exchange Management Act | Lecture/<br>Discussion | CO4  |  |

|    |   |                        |      |  |
|----|---|------------------------|------|--|
| 27 | Continue  |                        |      |  |
| 28 | Continue  | Lecture/<br>Discussion | CO4  |  |
| 29 | Continue  | Lecture                | CO4  |  |
| 30 | FDI policy and role of sebi                                   |                        | CO4  |  |
| 31 | Continue  |                        | CO4  |  |
| 32 | Doubt session   | Lecture                | CO5  |  |
| 33 | Bilateral agreements  |                        | CO5  |  |
| 34 | Multilateral agreements                                       | Lecture                | CO5  |  |
| 35 | Nature of substantive rights of foreign investors under BIPAs |                        | CO5  |  |
| 36 | Scope of substantive rights of foreign investors under BIPAs  |                        | CO5  |  |
| 37 | Dispute Settlement Mechanism                                  |                        | CO 5 |  |
| 38 | Continue  | Lecture/<br>Discussion | CO5  |  |
| 39 | Continue  |                        | CO5  |  |
| 40 | Continue  | Lecture/               | CO5  |  |



## Discussion

## J. Course Articulation Matrix: (Mapping of COs with POs&amp; PSOs)

| CO Number         | PO1 | PO2 | PO3 | PO4 | O5 | O6   | O7 | PSO1 | SO2 | PSO3 | SO4 | PSO5 | SOO6 |
|-------------------|-----|-----|-----|-----|----|------|----|------|-----|------|-----|------|------|
| COBALL.B<br>505.1 | 1   | 2   | 2   | 2   | 3  | .... | 3  |      |     |      |     |      |      |
| COBALL.B<br>505.2 | 2   | 3   | 2   | 3   | 2  | .... | 3  |      |     |      |     |      |      |
| COBALL.B<br>505.3 | 2   | 2   | 2   | 2   | 2  | .... | 3  |      |     |      |     |      |      |
| COBALL.B<br>505.4 | 2   | 2   | 2   | 2   | 2  | .... | 3  |      |     |      |     |      |      |
| COBALL.B<br>505.5 | 2   | 2   | 3   | 2   | 2  | .... | 3  |      |     |      |     |      |      |
| COBALL.B<br>505.6 | 3   | 2   | 2   | 2   | 2  | .... | 3  |      |     |      |     |      |      |

“-”- No Correlation; 1-Low Correlation; 2- Moderate Correlation; 3-Substantial Correlation

## K. Expectations from Students:

- Actively participate in the classroom discussions /seminar
- Follow the class rules
- Must be on time
- Must be regular in the class and maintain minimum 75% attendance as per (GGSIP University norms)

## L. Faculty Contact Details:

|                              |                              |
|------------------------------|------------------------------|
| <b>Name:</b>                 | Ms. Parul Shokeen            |
| <b>Designation:</b>          | Asst.Professor               |
| <b>Room &amp; Block No.:</b> | FIMT, School of Law          |
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## Second Semester

LLM

Paper Code: CRL116  
Insurance Laws

Subject: Banking, Insolvency and

### A. Introduction

**Objective:** The paper is aimed to create understanding about the fundamental principles of banking supervision and its practices in India and develop their understanding and expertise in various matters relating to banking practices

|            |   |
|------------|---|
| COLLM112.1 | To Understand the basic concepts of banking and functions of banking  |
| COLLM112.2 | To Understand the basic concepts of insurance and elaborate the kinds of business risks.  |
| COLLM112.3 | To Evaluate the insurance business environment in India   |
| COLLM112.4 | Learners will be able to understand and analyze complex business, banking related problems  |
| COLLM112.5 | Research and analyze specific problems or issues related to financial markets and institutions.   |
| COLLM112.6 | Identify and discuss the behaviour of individual investors and systematic trading biases, as well as the implications on the capital market efficiency. |

### C. Program Outcomes

|      |   |
|------|---|
| PO1. | Critical Thinking: Take informed actions after understanding the legal provisions well and identifying the assumptions that frame our thinking and actions, checking out the degree to which these assumptions are accurate and valid, and looking at our ideas and decisions (intellectual, organizational, and personal) from different perspectives. |
| PO2. | Effective Communication: To improve the communication skills and oratory skills through mootings, debating, negotiating and mediation exercises.  |
| PO3. | Social Interaction: Elicit views of others, mediate disagreements and help reach conclusions in group settings.   |
| PO4. | Effective Citizenship: Demonstrate empathetic social concern and equity centred national development, and the ability to act with an informed awareness of social and legal issues and participate in civic life through  |

|      |  |
|------|--|
|      | volunteering.  |
| PO5. | Ethics: To inculcate professional ethics and to recognize different value systems including your own, understand the moral dimensions of your decisions, and accept responsibility for them. |
| PO6. | Environment and Sustainability: Understand the role of Law regarding issues of environmental and sustainable development.  |
| PO7. | Self-directed and Life-long Learning: Acquire the ability to engage in independent and life-long learning in the broadest context socio-technological changes                                |

#### D. Program Specific Outcomes

|        |  |
|--------|--|
| PSO.1. | Understand, interpret, and analysis the facts with the help principle of law                                   |
| PSO.2. | Knowledge to complex problem situations and offer potential solutions within a simulated professional context; |
| PSO.3. | Ability to conduct effective research and develop the critical skill about the legal & Socio-economic matters; |
| PSO.4. | Demonstrate communication skills, including oral advocacy;   |
| PSO.5  | Articulate their independent views over contemporary crucial constitutional issues;                            |
| PSO.6  | Understanding of different political, economic, cultural and legal structure of ancient and medieval periods.  |

#### E. Pedagogy:

The pedagogy would be the combination of the following techniques:-

- Lectures
- Presentations
- Classroom Activities
- Discussions, Questions & Answers
- Case Study

## F. Evaluation

| Criteria            | Description   | Maximum Marks |
|---------------------|---------------|---------------|
| Internal Assessment | Mid-Term Exam | 10            |
|                     | PSDA          | 5             |
|                     | Assignment    | 10            |
| External Assessment | End-Term Exam | 75            |
| TOTAL               |               | 100           |

## G. Syllabus

### Unit-I: The Evaluation of Banking Services and its History in India

1. History of Banking in India.
2. Bank nationalization and social control over banking.
3. Various types of Banks and their functions.
4. Contract between banker and customer: their rights and duties.
5. Role and functions of Banking Institutions

### Unit-II: Lending by Banks and Recent Trends of Banking System in India

1. Advances, Loans and Securities.
2. Direct, collateral and miscellaneous Securities.
3. Default and recovery.
4. Bank Debt Recovery Tribunals.
5. The Securitization and Reconstruction of Financial Assets and Enforcements of Security Interest Act, 2002 (Definitions, Section 13 – Enforcement of security interest, Section 17 - Right to appeal.)

### Unit-III: General Principles of Law of Insurance

1. Definition, nature and history.
2. Contract of insurance and principles.
3. The Risk – commencement, attachment, assignment.
4. Types of insurances.
5. Policy and its Legal Status. UNIT – IV Recent Trends in Insur

### Unit-IV: Recent Trends in Insurance

1. Insurance against third party risks (relevant provisions from Motor Vehicles Act, 1988.)
2. Liability Insurance.
3. Consumer Protection and Banking and Insurance Services.
4. The Insurance Act, 1938 and the Insurance Regulatory & Development Authority Act, (IRDA), 2000.
5. Miscellaneous Insurance Schemes: New Dimensions (Group Life Insurance, Mediclaim, Sickness).



## H. References

### Text Books

1. Banking and Insurance Law and Practice, Institute of Company Secretaries of India, Taxmann Publishers, 2010
2. M.N. Mishra, Law of Insurance, Central Law Agency, 9 th Edition, 2012

### References:

1. J N Jain & R K Jain, Modern Banking and Insurance – Principles and Techniques, Regal Publications, 2008
2. Jyotsana Sethi & Nishwar Bhatia, Elements of Banking and Insurance, PHI Publishers, 2nd Edition, 2013.
3. Murthy, K.S.N., and Sarma, K.V.S., Modern Law of Insurance in India, Lexis Nexis Butterworth, 2002
4. Birds, John, Modern Insurance Law, Universal Publishing Co., 2003

### Digital Resources

| S. No. | Topic/ Title       | Source/ URL   |
|--------|--------------------|---|
| 1      | History of Banking | <a href="https://www.lkouniv.ac.in/site/writereaddata/siteContent/202004051341563589anurag_sriv_History_banking.pdf">https://www.lkouniv.ac.in/site/writereaddata/siteContent/202004051341563589anurag_sriv_History_banking.pdf</a>         |
| 2      | Insurance Law      | <a href="https://www.gklawcollege.com/wp-content/themes/gklaw-theme/downloads/library/studymaterials/9insurance-law.pdf">https://www.gklawcollege.com/wp-content/themes/gklaw-theme/downloads/library/studymaterials/9insurance-law.pdf</a> |

## I. Lecture Plan

| Lecture No. | Topic(s)   | Mode of Delivery       | Corresponding CO | Mode of Assessing CO         |
|-------------|--|------------------------|------------------|------------------------------|
| 1           | Overview of banking system in India                        | Lecture                | CO1              | MCQs & Subjective Assessment |
| 2           | History of Banking system in India                         | Lecture                | CO1              |                              |
| 3           | continue   | Lecture                | CO1              |                              |
| 4           | Bank Nationalization and Social Control                    | Lecture/<br>Discussion | CO1              |                              |
| 5           | Continue   | Lecture/<br>Discussion | CO1              |                              |
| 6           | Banking Regulation Act, 1949                               | Lecture/<br>Discussion | CO1              |                              |
| 7           | Important Provision of the Act                             | Lecture/<br>Discussion | CO1              |                              |
| 8           | Commercial & Investment Banking                            | Lecture/<br>Discussion |                  |                              |
| 9           | Relationship between Banker and Customer                   | Lecture/<br>Discussion | CO1              |                              |
| 10          | KYC Norms  |                        | CO1              |                              |
| 11          | Banking Ombudsman  | Lecture/<br>Discussion | CO1              |                              |
| 12          | Application of Customer Protection Law in Banking Services | Lecture/<br>Discussion | CO1              |                              |

|    |   |                        |      |  |
|----|---|------------------------|------|--|
| 13 | Principles of Lending                       | Lecture/<br>Discussion | CO2  |  |
| 14 | Nature of Securities                        | Lecture/               | CO3  |  |
| 15 | Collateral and other securities             | Lecture/<br>Discussion | CO3  |  |
| 16 | Scope and nature under recovery of debts    | Lecture/<br>Discussion | CO3  |  |
| 17 | Process of recovery                         | Lecture/<br>Discussion | CO3  |  |
| 18 | Non performing assets                       | Lecture/<br>Discussion | CO3  |  |
| 19 | Role of SARFAESI                            | Lecture/<br>Discussion | CO3  |  |
| 20 | Enforcement of security interest            | Lecture                | CO3  |  |
| 21 | Wilful defaulter and nature of bank         | Lecture                | CO3  |  |
| 22 | Need rationale and objectives of insolvency | Lecture                | CO 2 |  |
| 23 | Role of authorities                         | Lecture                | CO4  |  |
| 24 | creditors                                   | Lecture/<br>Discussion | CO3  |  |
| 25 | Corporate insolvency                        | Lecture/<br>Discussion | CO3  |  |
| 26 | Contemporary case laws                      | Lecture/<br>Discussion | CO4  |  |

|    |   |                        |      |  |
|----|---|------------------------|------|--|
| 27 | Doubt class   |                        |      |  |
| 28 | Continue  | Lecture/<br>Discussion | CO4  |  |
| 29 | Continue  | Lecture                | CO4  |  |
| 30 | Nature and fundamental principles of insurance contracts                            |                        | CO4  |  |
| 31 | Continue  |                        | CO4  |  |
| 32 | continue  | Lecture                | CO5  |  |
| 33 | Kinds of insurance  |                        | CO5  |  |
| 34 | continue  | Lecture                | CO5  |  |
| 35 | continue  |                        | CO5  |  |
| 36 | Motor vehicles insurance  |                        | CO5  |  |
| 37 | Powers and duties of insurance regulatory development authority under IRDA Act 2002 |                        | CO 5 |  |
| 38 | Continue  | Lecture/<br>Discussion | CO5  |  |
| 39 | Application of consumer protection with reference to insurance services             |                        | CO5  |  |
| 40 | Continue  | Lecture/<br>Discussion | CO5  |  |



## J. Course Articulation Matrix: (Mapping of COs with POs& PSOs)

| CO Number         | PO1 | PO2 | PO3 | PO4 | O5 | O6   | O7 | SO1 | SO2 | PSO3 | SO4 | PSO5 | SO6 |
|-------------------|-----|-----|-----|-----|----|------|----|-----|-----|------|-----|------|-----|
| COBALL.B<br>505.1 | 1   | 2   | 2   | 2   | 3  | .... | 3  |     |     |      |     |      |     |
| COBALL.B<br>505.2 | 2   | 3   | 2   | 3   | 2  | .... | 3  |     |     |      |     |      |     |
| COBALL.B<br>505.3 | 2   | 2   | 2   | 2   | 2  | .... | 3  |     |     |      |     |      |     |
| COBALL.B<br>505.4 | 2   | 2   | 2   | 2   | 2  | .... | 3  |     |     |      |     |      |     |
| COBALL.B<br>505.5 | 2   | 2   | 3   | 2   | 2  | .... | 3  |     |     |      |     |      |     |
| COBALL.B<br>505.6 | 3   | 2   | 2   | 2   | 2  | .... | 3  |     |     |      |     |      |     |

“-”- No Correlation; 1-Low Correlation; 2- Moderate Correlation; 3-Substantial Correlation

## K. Expectations from Students:

- Actively participate in the classroom discussions /seminar
- Follow the class rules
- Must be on time
- Must be regular in the class and maintain minimum 75% attendance as per (GGSIP University norms)

## L. Faculty Contact

### Details:

|                              |                              |
|------------------------------|------------------------------|
| <b>Name:</b>                 | Mr. Divesh Kr.               |
| <b>Designation:</b>          | Asst.Professor               |
| <b>Room &amp; Block No.:</b> | FIMT, School of Law          |
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**Paper – VI**  
**Subject: Mediation, Conciliation and Negotiation Paper**  
**Code: ADR 120**

**A. Introduction**

**Objective:** The subject will make students aware of various concepts and the legal provisions relating to ADR. The students will acquire practical skills required to effectively participate in the ADR processes.

|             |   |
|-------------|---|
| COADR 120.1 | Understanding of the concepts and the legal provisions relating to ADR.   |
| COADR 120.2 | Train the students in the practical skills required to effectively participate in the ADR processes.              |
| COADR 120.3 | Understanding the meaning, Scope and importance of Mediation.   |
| COADR 120.4 | Analyse the basic concepts, policies, laws, processes and practices relating to the conciliation and negotiation. |
| COADR 120.5 | Evaluate the law relating to Conciliation and Negotiation   |
| COADR 120.6 | Develop the critical thinking among the students as to International Practices relating to ADR Methods.           |

**C. Program Outcomes**

|      |  |
|------|--|
| PO1. | Analysing and applying the substantive rules of ADR.   |
| PO2. | Ability to choose appropriate ADR.   |
| PO3. | Understand the meaning and Scope of Mediation  |
| PO4. | Ability to communicate effectively and choosing appropriate egotiation strategy.                     |
| PO5. | Developing and drawing settlement agreements.  |
| PO6. | Evaluating the International law relating to Mediation, Conciliation and Negotiation as ADR Methods. |

## D. Program Specific Outcomes

|        |  |
|--------|--|
| PSO.1. | Understand, interpret, and analyse the substantive rules of ADR.   |
| PSO.2. | Ability to choose appropriate ADR methods to apply to complex problem  |
| PSO.3. | Ability to conduct effective research and develop the critical skill about the legal & Socio-economic matters. |
| PSO.4  | Articulate their independent views over crucial ADR issues.  |
| PSO.5  | Demonstrate communication skills, including oral advocacy.   |
| PSO.6  | Understanding of International law relating to Mediation, Conciliation and Negotiation as ADR Methods.         |

## E. Pedagogy:

The pedagogy would be the combination of the following techniques:-

- Lectures
- Presentations
- Classroom Activities
- Discussions, Questions & Answers
- Case Study

## F. Evaluation

| Criteria            | Description   | Maximum Marks |
|---------------------|---------------|---------------|
| Internal Assessment | Mid-Term Exam | 15            |
|                     | PSDA          | 5             |
|                     | Assignment    | 5             |
| External Assessment | End-Term Exam | 75            |
| TOTAL               |               | 100           |

## G. Syllabus

### UNIT – I: Mediation-I

- Mediation: Meaning, Scope and importance of Mediation
- Adjudication vs Mediation
- Techniques of Mediation
- Mediation Ethics and Obligations of Mediation

### UNIT – II: Mediation II

- Supreme Court's Module on Mediation
- Civil and Commercial Mediation
- Family Mediation
- Victim-offender Mediation

### UNIT – III: Conciliation and Negotiation

- Conciliation: Nature and Modes of Conciliation
- Law Relating to Conciliation
- Negotiation: Meaning and Significance
- Techniques and approach to Negotiation

### UNIT – IV: International Practices

- Comparative study of Mediation
- Comparative Study of Conciliation
- Negotiation for International Relations and Disputes

### H. Suggested Readings:

- Sriram Panchu, Mediation Practices & Law, Lexis Nexis Butterworth, 1st ed. (2011).
- S. Susheela, Mediation Readers Handbook, Asia Law House, 1st ed. (2012).
- Abraham P. Ordover and Andrea Doneff, Alternatives to Litigation : Mediation, Arbitration, and the Art of Dispute Resolution, Notre Dame: National Institute for Trial Advocacy, 2002
- Mediation in India, A Toolkit, USEFL
- The Mediator's Handbook by Ruth Chariton and Micheline Dewdney .
- The Fundamentals of Family Mediation by John M. Haynes and Stephanie Charlesworth.



| Lecture No. | Topic(s)  | Mode of Delivery       | Corresponding CO | Mode of Assessing CO              |
|-------------|---|------------------------|------------------|-----------------------------------|
| 1           | Mediation: Meaning, Scope and importance of Mediation | Lecture                | CO1              | Oral questions asked in the class |
| 2           | Continue  | Lecture                | CO1              |                                   |
| 3           | Continue  | Lecture                | CO1              | Class Debate                      |
| 4           | Adjudication vs Mediation                             | Lecture/<br>Discussion | CO1              |                                   |
| 5           | Continue  | Lecture/<br>Discussion | CO1              | Written Class test                |
| 6           | Continue  | Lecture/<br>Discussion | CO1              |                                   |
| 7           | Techniques of Mediation                               | Lecture/<br>Discussion | CO1              |                                   |
| 8           | Continue  | Lecture/<br>Discussion |                  |                                   |
| 9           | Continue  | Lecture/<br>Discussion | CO1              | Quiz                              |
| 10          | Continue  | Lecture/<br>Discussion | CO1              |                                   |
| 11          | Mediation Ethics and Obligations of Mediation         | Lecture/<br>Discussion | CO2              |                                   |
| 12          | Continue  | Lecture/<br>Discussion | CO3              | Group Discussion                  |
| 13          | Revision  |                        |                  |                                   |
| 14          | Class Test  | Lecture/<br>Discussion | CO3              |                                   |
| 15          | Supreme Court's Module on Mediation                   | Lecture/<br>Discussion | CO3              | Group Discussion                  |
| 16          | Continue  | Lecture/<br>Discussion | CO3              |                                   |
| 17          | Continue  | Lecture/<br>Discussion | CO3              |                                   |
| 18          | Civil and Commercial Mediation                        | Lecture/<br>Discussion | CO3              |                                   |
| 19          | Continue  | Lecture/<br>Discussion | CO3              |                                   |
| 20          | Family Mediation                                      | Lecture                | CO3              | Written Test                      |
| 21          | Continue  | Lecture                | CO3              |                                   |
| 22          |   | Lecture                | CO 2             |                                   |

|    |   |                        |      |   |
|----|---|------------------------|------|---|
|    | Victim-offender Mediation                               |                        |      |   |
| 23 | Continue  | Lecture                | CO4  |   |
| 24 | Revision  | Lecture/<br>Discussion | CO3  |   |
| 25 | Class Test  | Lecture/<br>Discussion | CO3  | Class<br>discussion                           |
| 26 | Conciliation: Nature and Modes<br>of Conciliation       | Lecture/<br>Discussion | CO4  |   |
| 27 | Continue  | Lecture/<br>Discussion |      |   |
| 28 | Continue  | Lecture/<br>Discussion | CO4  |   |
| 29 | Law Relating to Conciliation                            | Lecture                | CO4  |   |
| 30 | Continue  | Lecture/<br>Discussion | CO4  |   |
| 31 | Continue  | Lecture                | CO4  |   |
| 32 | Negotiation: Meaning and<br>Significance                | Lecture                | CO5  | Class Debate                                  |
| 33 | Continue  | Lecture/<br>Discussion | CO5  |   |
| 34 | Techniques and approach to<br>Negotiation               | Lecture                | CO5  |   |
| 35 | Continue  | Lecture/<br>Discussion | CO5  |   |
| 36 | Continue  | Lecture                | CO5  | Oral questions<br>asked during<br>the lecture |
| 37 | Revision  |                        | CO 5 |   |
| 38 | Revision  | Lecture/<br>Discussion | CO5  |   |
| 39 | Class Test  |                        | CO5  |   |
| 40 | Comparative study of Mediation                          | Lecture/<br>Discussion | CO5  |   |
| 41 | Continue  | Lecture/<br>Discussion | CO6  |   |
| 49 | Continue  | Lecture                |      |   |
| 50 | Negotiation for International<br>Relations and Disputes | Lecture/<br>Discussion | CO6  |   |
| 51 | Continue  |                        | CO6  |   |
| 52 | Revision  |                        | CO6  |   |
| 53 | Class Test  |                        | CO6  |   |

### J. . Course Articulation Matrix: (Mapping of COs with POs& PSOs)

| CO Number         | PO1 | PO2 | PO3 | PO4 | PO5 | PO6 | PO7 | PSO1 | PSO2 | PSO3 | SO4 | SOO5 | SOO6 |
|-------------------|-----|-----|-----|-----|-----|-----|-----|------|------|------|-----|------|------|
| COBALL.B<br>505.1 | -   | 1   | 1   | -   | -   | -   | -   |      |      |      |     |      |      |
| COENGH<br>108.2   | 2   | 2   | 1   | 2   | 1   | 1   | 2   |      |      |      |     |      |      |
| COENGH<br>108.3   | 2   | 2   | 1   | 1   | -   | -   | 1   |      |      |      |     |      |      |
| COENGH<br>108.4   | 2   | 2   | 2   | -   | -   | -   | 2   |      |      |      |     |      |      |
| COENGH<br>108.5   | 2   | 2   | 2   | -   | -   | -   | 2   |      |      |      |     |      |      |
| COENGH<br>108.6   | 3   | 3   | 2   | -   | -   | -   | 2   |      |      |      |     |      |      |

“-”- No Correlation; 1-Low Correlation; 2- Moderate Correlation; 3-Substantial Correlation

### K. Expectations from Students:

Actively participate in the classroom discussions.

Follow the class rules

Must be on time

Must be regular in the class and maintain minimum 75% attendance as per GGSIP University norms)

### L. Faculty Contact

#### Details:

|              |                               |
|--------------|-------------------------------|
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| Designation: | Associate Professor           |
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