

Syllabus for the Online Examination (September-October, 2020)

III LL.B. - SEM-VI (Portion taught upto 13th March, 2020)

Alternate Dispute Resolution (Compulsory Subject)

- The Arbitration and Conciliation Act, 1996 sections 1 to 33 only
- Conciliation from Arbitration and Conciliation act sections 61 to 81 only

Law of Evidence (Compulsory Subject)

- Portion completed in Indian Evidence Act upto 13th Mar., 2030:
- Section 1 to 60 and Section 101 to 134

Intellectual Property Rights (Elective Subject)

INTRODUCTORY MODULE

- Concept & meaning of IP
- Importance of IP
- Types of IP
- Patent
- Trademark
- Copyrights
- Design
- Protection of Integrated Circuits layout design
- Geographical indications of goods
- Plant varieties and farmers rights
- Nature of IP
- Rationale for protection of IP
- WIPO, TRIPS, INDIA & IP Policy

PATENTS

- Concept of patent
- Origin & Historical development of Patent rights
- Definitions

Basic elements of patentability – novelty, non-obvious, utility, capable of industrial application, inventive step

- Non – patentable inventions – section 3 &4
- TRIPS & Patent
- Process, Product & Concurrent Patent
- Procedure for filing a patent – application, publication, examination, opposition, granting of patent.
- Provisional & Complete Specification
- Pre - grant and post grant – Opposition & grounds
- Effect of grant of patent
- Obligation & duties of patentee
- Rights of Patentee

- Limitations
- Infringement of patent rights

TRADE MARK

- The rationale for the protection of Trade Marks.
- Functions of a Trade Mark.
- Objectives of a Trade Mark
- Historical Background of Trademark Law in India
- Definition of a Trade Mark and Mark
- Characteristics of a Trade Mark
- Traditional and Non-Traditional Marks
- Well Known Trade Marks.
- Collective Marks
- The procedure for Registration of Trade Mark
- Conditions for Registration of Trademark (Absolute and Relative Grounds for Refusal of Registration.)
- Distinctiveness
- Passing Off and Infringement
- Deceptive Similarity

Law Related to Women & Child (Elective Subject)

- Women in post-independence India
- Sex inequality in Inheritance Rights
- Guardianship
- Divorce
- Social legislation
- Women and employment
- Social, Constitutional and International legal status of child
- State responsibility for the education of children
- Family relations and child
- Child and criminal liability

Conflict of Laws (Elective Subject)

Introductory

- What and why of conflict of laws: its function, bases like comity, convenience and justice -
- Difference between Public and Private International law
- Development and history
- England and India: A comparative sketch with reference to USA and other countries
- Modern theories:
- Statutory, territorial, international, local law and justice
- State in a Private International law case

- Choice of Jurisdiction
- Choice of law (lex causae)
- Recognition and enforcement of foreign judgments / awards

Concept of Domicile

- General principles / fundamental Principles
- Elements – intention and residence
- Kinds
- Domicile of Origin
- Domicile of Choice
- Domicile of dependence: married women's position in English and Indian laws
- Domicile of corporation

Marriage

- Marriage as a contract and also status how different from other contracts (social personal contract) Kinds of Marriage
- How in India, marriage as a concept moved from partially polygamous towards monogamous type and total sacrament to secularization to some extent - Questions of formal and essential validity Formal validity by lex loci celebrations
- Essential / material / intrinsic validity
- Capacity to marriage
- Consent
- Not within prohibited degrees
- Not previously married - Physical incapacity
- Of proper age
- Essential validity usually governed by lex domicili
- English cases
- Indian position clarified in cases

Matrimonial Causes

- Concept of matrimonial cause (Relief)
- English and Indian positions
- Available Reliefs - Divorce, Nullity, judicial separation
- Restitution of Conjugal Rights (in English law)
- Restitution of Conjugal Rights has no place now
- Choice of Jurisdiction and Choice of Law to be examined

Law of Insurance (Elective Subject)

- Principles of Insurance – Contribution, insurable interest, proximate cause, indemnity loss minimization, utmost good faith
- Evolution of Insurance in India, Nationalisation of Insurance Industry in India, controller of Insurance, role of IRDA.
- Motor Vehicles Act 1988 – Third Party Liability, use of vehicle, compensation under the Motor Vehicles Act, Comprehensive Insurance Policy, Own Damage Claim, meaning of accident, negligence, contributory negligence.
- Various Kinds of Life Insurance Policies and General Insurance Policies
- Fire Insurance Policy, Salvage, Excess clause.

Law & Medicine (Elective Subject)

- Right to Health under the Constitution of India.
- The varieties of Medical profession in India.
- Self-Regulation through codes of conduct.
- The doctrine of “Informed Consent”.
- The Doctors-Patient Relationship
- Confidentiality and Privilege
- Medical Malpractice
- Medical Profession and Consumer Protection Act.
- Law relating to Medic-Legal Cases, with special interference to:
 - Road Accident
 - Drugs and Magic Remedies (Objectionable Advertisement Act, 1954(section 1 to 6 only).
 - The transplantation of Human Organs Act, 1994 (Section 1 to 12 only)

Banking Laws (Elective Subject)

- Whole Negotiable Instrument Act and DRT