

INFORMATION TECHNOLOGY AND INTELLECTUAL PROPERTY RIGHTS

This course is designed to equip the students with the ability for an in depth analysis of the legal issues involved in the ongoing debate on the protection of computer programme under copyright law and patent laws. To examine the impact of digitalization of the copyright work and also using of cyberspace for commercial purpose to promote trademark goods had brought with it manifold issues in IP regime. This course will focus on new issues and challenges in cyberspace.

1. Introduction to Computer Programme

- 1.1 Basic concepts of computer science –concepts, terminology and principles
- 1.2 Distinction between computer programme and software
- 1.3 Elements of computer programme –algorithm computer languages – literal and functional element

2. Copyright Issues in cyberspace

- 2.1 Historical development of copyright protection for computer programme
- 2.2 Concept of Originality in Computer programme
- 2.3 Idea –expression dichotomy in computer programme
- 2.5 Reverse Engineering
- 2.6 Anti Circumvention Law

3. Patent Protection of Computer Programme

- 3.1. Development of patent protection of computer programme in US
- 3.2 Algorithm as patentable subject matter
- 3.3 patentability of computer relation invention
- 3.4 patent of business method
- 3.5 TRIPS obligation and Indian Law

4. Trademark Issues in Cyber Space

- 4.1 Metatagging
- 4.2 Pop-up- advertisement
- 4.3 Keyword advertisement
- 4.4 Domain Name
- 4.5 The ICANN Uniform Domain Name Dispute Resolution Policy

5. New Issues and Challenges in Cyberspace

- 5.1 Cloud Computing
- 5.2 Convergence Technology

References:

- 1. Nandan Kamath, Law Relating to Computers Internet & E-Commerce, 2nd Edition, Universal Law Publishing Co.Pvt.Ltd.
- 2. David Lindsy, International Domain Name Law ICANN at the UDRP, (2007) Hart Publishing, Oxford and Portland, Oregon.
- 3. Rodney D Ryder, Intellectual Property and the Internet, (2002) Lexis Nexis Butterworths, New Delhi.
- 4. Samuelson and others, Software and Internet Law,Third Edition (2006) Aspen Publishers, U S.