

**Department of Intellectual Property Law**  
**3<sup>rd</sup> Semester (Elective) Paper**

**Intellectual Property Rights and Human Rights**

The object of the course is to realize the importance of interface between intellectual property rights and human rights. How far the international regional and national instruments relating to various instruments relating to various categories / subject matters of IP recognizes embodies/ enforces human rights as the component of IP. Also, international, regional and national instruments relating to human rights law recognizes / embodies the right to IP as a Human Rights.

**Unit – I**

Concept of IP relating to Human Rights – Concept of Human Rights relating to IP – Jurisprudential aspects of IP and Human Rights – Constitutional Aspects – Fundamental Rights, DPSP including right to property – comparative perspective position in various countries including US, India and EU

**Unit – II**

International Instruments relating to IP – WTO based regime – Agreement establishing World Trade Organisation – TRIPS Agreement – Doha Declaration of TRIPS Agreement on Public Health – Doha Development Agenda – WIPO based regime – IGC on Traditional Knowledge and Folklore – CBD – ITPGR – Co-operation between WTO and WIPO and other organization including WHO, ILO – International instruments relating to Human rights – UDHR – ICCPR – Permanent Forum on Indigeneous People.

**Unit – III**

National IP and Human Rights – Constitutional Provision relating to IP and Human Rights – Article 19 (1) (g) – Article 300 (a) and relevant entries – Patent Act – Copyright Act – Biological Diversity Act – Protection of Plant Variety and Farmer’s Right Act – Seed Bill – Geographical Indications Act – Trade Marks – Human Rights Act, 1933

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**Unit IV**

Copyrights v. Human Rights – Right to Freedom of expression – Privacy Issues – Right to Education, research – Right to Information – Cultural rights – Performer’s rights – Digital Environment – IP and Human Rights – Right to Health – Genetic Informations – Clinical Trials – Hazardous invention Vs. Human Environment – Patent on Body Parts and Human Dignity.

**Unit - V**

Traditional Knowledge – Former’s Rights – Tribal rights – Consumer rights – Indigenous people rights Food Security – GM Food and Human Health – Recent Development across the world.