

**Department of Intellectual Property Law**  
**3<sup>rd</sup> Semester (Optional IV)**

**LAW RELATING TO INDUSTRIAL DESIGNS**

**Syllabus**

**Objective :**

The Objective of the papers is to equip the students to understand the concept of Industrial Design, its acquisition, rights conferred by registration and the remedies in the Indian context and also focus on the subject matter scope of semi conductor integrated circuit layout design.

**UNIT – I**

- 1.1 Concept of Industrial Design
- 1.2 Essential of a Design
- 1.3 Novelty and Originality
- 1.4 Protection of functional designs
- 1.5 Conflicts between copyright and design protection
- 1.6 Statutory right
- 1.7 Requirements. US,UK & EU approach

**UNIT – II**

- 2.1 Registration of Designs
- 2.2 Registrable Designs and non –registrable designs
- 2.3 Objections
- 2.4 Decisions of Controller
- 2.5 Certificate of Registration
- 2.6 Effect of Registration – Cancellation of Design.

**UNIT – III**

- 3.1 Rights granted to 'Design' Holders
- 3.2 Copyright in Design
- 3.3 Protections from Piracy
- 3.4 Fraudulent and obvious imitations

**UNIT -- IV**

- 4.1 Infringement of Design
- 4.2 Tests to determine Infringement
- 4.3 Onus to prove infringement
- 4.4 Right to claim profits earned by the Infringement
- 4.5 Terms of copyright in Design, US,UK & EU treatment.

**UNIT -- V**

- 1.1 The Semi-Conductor Integrated circuits
- 1.2 Lay – out and Design Act 2000 : Meaning of circuit
- 1.3 Integrated Circuit
- 1.4 Semi-conductors
- 1.5 Transistor
- 1.6 TRIPS information technology regime.
- 1.7 Enforcement provisions
- 1.8 Similarity between law relating to Designs and Trade Mark Law.

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Reference:

- (1) Industrial Designs Act-2000
- (2) Russel Clarke , “Industrial Designs”6<sup>th</sup> Edition (1999) Sweet & Maxwell, London
- (3) B.L.Wadhera,Intellectual Property Law
- (4) Semiconductor Integrated Circuit –Layout Design Act (2000).

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