**KURUKSHETRA UNIVERSITY KURUKSHETRA**

**(DISTANCE EDUCATION)**

**POST-GRADUATE DIPLOMA IN CYBER LAW**

**AND INTELLECTUAL PROPERTY RIGHTS**

**(ACADEMIC SESSION 2018-19)**

**SCHEME OF EXAMINATION**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **PAPER CODE** | **NOMENCLATURE OF PAPER** | **MAXIMUM MARKS** | **THEORY MARKS** | **INTERNAL ASSESSMENT MARKS** | **TIME** |
| Paper-I | Cyber Law: Development and Challenges | 100 | 80 | 20 | 3 hours |
| Paper-II | Information Technology Act,2000 | 100 | 80 | 20 | 3 hours |
| Paper-III | Role of Law in Cyber World | 100 | 80 | 20 | 3 hours |
| Paper-IV | Law of Patent including Plant Verities of Farmer’s Rights | 100 | 80 | 20 | 3 hours |
| Paper-V | Copyright and Design Law | 100 | 80 | 20 | 3 hours |
| Paper-VI | Trademarks Law and Geographical Indication of Goods | 100 | 80 | 20 | 3 hours |

**Note: -** The minimum marks required to pass the examination shall be 40% in each paper and 45% in aggregate.

**Paper –I**

**Cyber Law: Development and Challenges**

Theory Marks=80

Internal Assessment Marks=20

Max. Marks: 100

Time: 3 Hours

Note: (i) Total eight questions shall be set and the candidates will be required to attempt one question from each unit.

(ii) All questions shall carry equal marks.

**Unit-I**

General Introduction of Computers: Software and Hardware, Network, Computer Programing, Computer Security System; Information System, Operating System, Key Pair, Private Key, Public Key.

**Unit-II**

Concept of Domain Names: Server; Web Hosting; Protocols; E-Mail and Chat; Basics of Internet. Use of Internet in Legal Profession. Concept of Cyber Space: Definition and Meaning of Cyber Space.

**Unit-III**

Cyber Crimes:Types of Cyber Crimes, Tempering with Computer Source Documents; Hacking with Computer System; Publishing of Obscene Information in Electronic Form; Breach of Confidentiality and Privacy; Publishing of False Digital Signature Certificate.

**Unit-IV**

Act and omissions against the Controller; Cyber Terrorism and Cyber Security; Offences or Contraventions Committed outside India; Computer Forensic and the Process of Confiscation; Powers of Police Officers.

**Books Recommended:-**

1. Nandan Kamath : A Guide to Cyber Laws and the Information Technology Act, 2000 with Rules and Notifications.

2. Rodney, D. Ryder : Guide to Cyber Laws.

3. Yogesh Barua& Denzyl : Cyber Crimes

4. Sharma, Vakul : Information Technology: Law and Practice

5. Justice Yathindra Singh : Cyber Laws

6. Bakshi, R.M. : Cyber & E- Commerce Laws

7. Farooq Ahmad : Cyber Law in India (Law of Internet)

**Paper-II**

**Information Technology Act, 2000**

Theory Marks=80

Internal Assessment Marks=20

Max. Marks: 100

Time: 3 Hours

Note: (i) Total eight questions shall be set and the candidates will be required to attempt one question from each unit.

(ii) All questions shall carry equal marks.

**Unit-I**

Background; Object and Scope of the Information Technology Act, 2000. Concepts of ‘Access’; ‘Addressee’; ‘Affixing Digital Signature’; ‘Asymmetric Crypto System’; ‘Electronic Record’; ‘Electronic System’; Legal Recognition of Digital and Electronic Signature, Central Government’s power to make rules in respect of Electronic Signature; Secure Electronic Signature, Security Procedure; Issuance of Electronic Signature Certificates; Acceptance, Suspension and Revocation of Electronic Signature Certificate.

**Unit-II**

Electronic Governance;Legal Recognition of Electronic Records; Legal Recognition of Digital Signature and Electronic Signature; use of Electronic Records and Digital Signatures in Government and its Agencies. Retention of Records; Audit of Documents Etc.; Publication of Rule and Regulation in Electronic gazette. Attribution of Electronic Record; Acknowledgement of Receipt; Time and Place of Dispatch and Receipt of Electronic Record; Secure Electronic Record.

**Unit –III**

Regulation of Certifying Authorities; Appointment of controller and other officers; Functions and Powers of the Controller, Certifying Authority, Cyber Regulations Appellate Tribunal, Composition; Qualification, Term of office, etc., Procedure and Powers of the Tribune. Appeals to High Court; Compounding of Contraventions; Recovery of Penalty and Compensation.

**Unit-IV**

Penalties; Compensation and Adjudication; Liabilities of the Intermediaries; Interception and monitoring of Electronic Communications; Preservation and Retention of Information by Intermediaries.

**Books Recommended:-**

1. Nandan Kamath : A Guide to Cyber Laws and the Information Technology Act, 2000 with Rules and Notifications.

2. Rodney, D. Ryder : Guide to Cyber Laws.

3. Yogesh Barua& Denzyl : Cyber Crimes

4. Sharma, Vakul : Information Technology: Law and Practice

5. Justice Yathindra Singh : Cyber Laws

6. Bakshi, R.M. : Cyber & E- Commerce Laws

7. Farooq Ahmad : Cyber Law in India (Law of Internet)

**Paper- III**

**Role of Law in Cyber World**

Theory Marks=80

Internal Assessment Marks=20

Max. Marks: 100

Time: 3 Hours

Note: (i) Total eight questions shall be set and the candidates will be required to attempt one question from each unit.

(ii) All questions shall carry equal marks.

**Unit-I**

E-Commerce: A New Business Paradigm; Online Contract; Payment Mechanism in Cyber Space; Taxing, E- Commerce.

**Unit-II**

Jurisdiction Issues in Cyber Space:Concept of Jurisdiction; International Law and Jurisdiction in Cyber Space; Personal Jurisdiction in Cyber Space; Indian Perspective of Jurisdiction in Cyber Space.

**Unit-III**

Cyber Law and Related Issues: Freedom of Speech and Expression in Cyber Space; Privacy Issues; Defamation in Cyber Space; Liabilities of Intermediaries.

**Unit-IV**

Conventions on Cyber Law:UNCITRAL Model Law on Electronic Commerce; Convention on Cyber crime; India and Cyber Crimes Conventions; United State of America and Cyber Crimes Conventions; United Kingdom and Cyber Crimes Conventions.

**Books Recommended:**

1. Nandan Kamath : A Guide to Cyber Laws and the Information Technology Act, 2000 with Rules and Notifications.

2. Rodney, D. Ryder : Guide to Cyber Laws.

3. Yogesh Barua& Denzyl : Cyber Crimes

4. Sharma, Vakul : Information Technology: Law and Practice

5. Justice Yathindra Singh : Cyber Laws

6. Bakshi, R.M. : Cyber & E- Commerce Laws

7. Farooq Ahmad : Cyber Law in India (Law of Internet)

**Paper-IV**

**Law of Patent Including Plant Varieties and Farmer’s Rights**

Theory Marks=80

Internal Assessment Marks=20

Max. Marks: 100

Time: 3 Hours

Note: (i) Total eight questions shall be set and the candidates will be required to attempt one question from each unit.

(ii) All questions shall carry equal marks.

**Unit-I**

Object and Purpose of Patent Law; Value of Patent System , International Character of Patents; Advantages of Patent to Inventor; Rights and Obligations of Patentee. Paris Convention and TRIPS Agreement. Patents for Computer Technology, Computer Software and Electronic Commerce.

**Unit-II**

Concept of ‘Patent’ Invention, ‘Patented Article’, ‘Patented Process’, ‘True and First Inventor’ Patentable Inventions; Invention Not Patentable, Product Patents in respect of Medicine and Drug. Application for patents; opposition to grant of patent; Register of patents and Patent office.

**Unit-III**

Grant and Sealing of Patents and Rights; Transfer of patent right: Assignment and Licenses.

Government use of Invention; Revocation and Surrender of patents; Infringement of Patents and Remedies.

**Unit-IV**

Protection of Plant Varieties and Farmer’s Rights Act, 2001: Protection of Plant Varieties and Farmer’s Rights Authority, Registration of Plant Varieties, Duration and Effect of Registration, Revocation and Surrender of Registration, Plant Varieties Protection Appellate Tribunal: Composition, Procedure and Penalties Under the Act.

**Books Recommended:**

1. Baxi, U. : The Law of Intellectual Property

2. Cornish, W.R. : Intellectual Property: Patent, Copyright, Trade Marks and Allies Rights

3. Narayanan, P. : Law of Patents

4. Narayanan, P. : Copyright Law

5. Khosla, K.D. : Know yours Copyright

5. Thairrany Kala : Copyright Act.

7. Vashisth Vikas : Law and Practice of Intellectual Property in India

8. Nagarajan, R.K. : Intellectual Property Law

9. Raju, K.D. : Intellectual Property Law

10. B.L. Wadhera : Law Relating to Intellectual Property

**Paper –V**

**Copyright and Design Law**

Theory Marks=80

Internal Assessment Marks=20

Max. Marks: 100

Time: 3 Hours

Note: (i) Total eight questions shall be set and the candidates will be required to attempt one question from each unit.

(ii) All questions shall carry equal marks.

**Unit-I**

Object and Purpose of Copyright Law; International Conventions of Copyright; Barne Convention, WIPO Copyright Convention and Phonogram Treaty, TRIPs Agreement. Copyright Law and Protection of Computer Programmes and data.

**UNIT-II**

Historical Background and Objectives of Copyright Act, 1957; Concepts of Author, Work, Literary Work, Artistic Work, Musical Work, Cinematograph Film, Work of Sculpture, Reprography , Computer Programme, Copyright and Adaption, Nature of Copyright and Subject matter of Copyright; Term of Copyright.

**Unit-III**

Ownership of Copyright and the Rights of the owner. Rights of Broadcasting Organizations and Performers, Copyright office and Copyright Board; their Powers and Procedure; Registration of Copyright, Infringement of Copyright, Remedies; Appeals.

**Unit-IV**

The Designs Act, 2000:Objective and salient features of the Act, Definitions; Registration of Designs; Copyright in Registered Designs; Power and Duties of Controller; Infringement, Remedies, Penalties.

**Books Recommended:**

1. Baxi, U. : The Law of Intellectual Property

2. Cornish, W.R. : Intellectual Property: Patent, Copyright, Trade Marks and Allies Rights

3. Narayanan, P. : Law of Patents

4. Narayanan, P. : Copyright Law

5. Khosla, K.D. : Know yours Copyright

5. Thairrany Kala : Copyright Act.

7. Vashisth Vikas : Law and Practice of Intellectual Property in India

8. Nagarajan, R.K. : Intellectual Property Law

9. Raju, K.D. : Intellectual Property Law

10. B.L. Wadhera : Law Relating to Intellectual Property

**Paper-VI**

**Trademarks Law and Geographical Indication of Goods**

Theory Marks=80

Internal Assessment Marks=20

Max. Marks: 100

Time: 3 Hours

Note: (i) Total eight questions shall be set and the candidates will be required to attempt one question from each unit.

(ii) All questions shall carry equal marks.

**Unit-I**

Trade Marks Law Treaty: Madrid Agreement and Madrid Protocol; Object and Concept of Trade Marks; Types of Trade Marks; Principles of Registration to Trade Marks; Effect of Registration.

**Unit-II**

Rights Conferred by Registration of Trade Marks; Registered Users; Passing off and Infringement of Trade Marks; Certification of Trade Marks.

**Unit-III**

International Concerns Regarding Geographical Indication of Goods; Historical Perspective and Objective of the Geographical Indication of Goods Act, 1999; Definitions, Procedure for Registration.

**Unit-IV**

Infringement of Geographical Indication and Remedies; Geographical Indication and Genetic Resources; Comparison between Trade Marks and Geographical; the Semi Conductor Integrated Circuits Layout Design, Act. 2000.

**Books Recommended:-**

1. Baxi, U. : The Law of Intellectual Property

2. Cornish, W.R. : Intellectual Property: Patent, Copyright, Trade Marks and Allies Rights

3. Narayanan, P. : Law of Patents

4. Narayanan, P. : Copyright Law

5. Khosla, K.D. : Know yours Copyright

5. Thairrany Kala : Copyright Act.

7. Vashisth Vikas : Law and Practice of Intellectual Property in India

8. Nagarajan, R.K. : Intellectual Property Law

9. Raju, K.D. : Intellectual Property Law

10. B.L. Wadhera : Law Relating to Intellectual Property