

DIRECTORATE OF DISTANCE EDUCATION
KURUKSHETRA UNIVERSITY KURUKSHETRA
(Established by the State Legislature Act XII of 1956)

P.G.DIPLOMA IN CYBER LAW AND IMTELLECTUAL PROPERTY RIGHTS
(SESSION 2018-19)

Paper No.	Name
I	Cyber Law: Development and Challenges
II	Information Technology Act, 2000
III	Role of Law in Cyber World
IV	Law of patent Including Plant Varieties of Farmer's Rights.
V	Copyright and Design Law
VI	Trademarks Law and Geographical Indication of Goods

Paper -I
Cyber Law: Development and Challenges

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:-

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|----------------------------|---|--|
| 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

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 Tribunal. 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:-

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| 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

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:

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|----------------------------|---|--|
| 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

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:

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|--------------------|---|---|
| 1. Baxi, U. | : | The Law of Intellectual Property |
| 2. Cornish, W.R. | : | Intellectual Property: Patent, Copyright, Trade Marks and Allied 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

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; Berne 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:

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|--------------------|---|---|
| 1. Baxi, U. | : | The Law of Intellectual Property |
| 2. Cornish, W.R. | : | Intellectual Property: Patent, Copyright, Trade Marks and Allied Rights |
| 3. Narayanan, P. | : | Law of Patents |
| 4. Narayanan, P. | : | Copyright Law |
| 5. Khosla, K.D. | : | Know yours Copyright |
| 5. Thairany 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

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:-

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|--------------------|---|---|
| 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 |