

## HRD Chair on IPR, CUSAT

### Activities during 2009-10

The IPR Chair at the Cochin University of Science and Technology has undertaken the following activities during 2009-10.

#### **1. Post Graduate Teaching and Research**

##### **a. 2 year LL.M in IPR**

We have eleven LL.M students specializing in the area of IPR. Six students are preparing their LL.M dissertation in the following topics:

- i. Technological Protection Measures and Access to Information
- ii. Protection of webcasting in India
- iii. Copyright Infringement via Internet: An analysis of legal parameters of ISP liability.
- iv. Role of Compulsory Licence in Communication to Public of works in India
- v. Bioinformatics and Patenting
- vi. Role of IP in Merger and Acquisition

##### **b. Ph.D Programme in IPR**

We have five students registered for Ph.D work under the Chair Professor. The topics are:

- i. Ms. Sindhu Soman – Intellectual Property Protection of Ayurvedic Preparations: A Study with special reference to Ayurvedic Industry.
- ii. Ms. Prabha S. Nair – International Initiatives for regulating access to genetic resources
- iii. Ms. Saleena K.B. – Exceptions and Limitations to Intellectual Property
- iv. Mr. Shanmugham D Jayan – Legal Concept of Information in Digital Technology
- v. Yogesh A. Pai - International Technology Standardisation, Patents and Competition Law: Addressing Gaps in the International Legal Framework

The two full time students with fellowship from MHRS – Ms. Prabha S. Nair and Ms. Saleena K.B are in the advanced stage. They are expected to submit the thesis by the end of 2010.

## **2. Policy Research**

- a. Research support for Department of Higher Education Government of India
  - i. Copyright Amendment
  - ii. SCCR issues
    1. Limitation and Exceptions
    2. Audio-visual performances
  - iii. Other copyright related issues
- b. Ministry of Information and Broadcasting
  - i. Negotiation of the Treaty for the protection of Broadcasting Organization at SCCR, WIPO
- c. Department of Industrial Policy and Promotion
  - i. Heiligendamm Process discussions and presentation
  - ii. Protection of traditional knowledge – Draft Bill for the sui generis protection prepared and presented to the DIPP
  - iii. Supported the negotiation in IGC WIPO on TK
- d. Government of Kerala
  - i. Law Reform Commission
  - ii. Reform on Legal Education in Kerala

## **3. Research Publications**

Following research papers are published by the faculty and students (2009)

Faculty

1. Gopalakrishnan & Agitha, Indian Patent System: The Road Ahead”, in Ryo Shimanami (Ed.) *The Future of the Patent System*, Institute of Intellectual Property, Japan (2009).
2. Goplakrishnan, Protection of Public Health under TRIPS: Case of India, ANU Law Journal, 2009
3. Gopalakrishnan, Intellectual Property Laws, Annual Survey, Indian Law Institute, New Delhi, 2008.

4. Agitha and Gopalakrishnan, Imperial Copyright Act and the Indian Copyright Law, in Uma Suthersanen & Ysolde Gendreau (Ed.), *100<sup>th</sup> Anniversary of Imperial Copyright Act*, Edward Elger (2011).

#### Research Scholars/students

1. Saleena K. B, "Research Exemption: Whether Fair Enough to Maintain the Fairness of the Patent System", MIPR 2009 (3) p F1- F20.
2. Saleena K B, "Trademark Jurisprudence in Cyber Regime" published at [www.articles.manupatra.com](http://www.articles.manupatra.com).
3. Saleena K.B, "Justification for Intellectual Property Rights: An Integrated Approach", 2009 C.U.L.R. (Forthcoming)
4. Arathi Ashok, "Economic Rights of Authors under Copyright Law: Some Emerging Judicial Trends", *Journal of Intellectual Property Rights*, Vol.15, Jan 2010, pp 46-54.
5. Rujitha T R, "Conceptual Issues in Biotech Patenting: Indian Law and Judicial Trends", MIPR 2009 (3) pp. F72- F81
6. M.Sakthivel, "Standard for Pharmaceutical Patenting in India", 2009 C.U.L.R. (Forthcoming)
7. M.Sakthivel, "Hague System-International Registration of Industrial Design-An overview", MIPR 2009 (3) p F41- F50.

#### 4. Training and Extension work

##### a. Seminar/Conference organized

- i. National Conference on Limitations and Exceptions, May 2009

##### b. Seminars/Conference participated

##### Chair Professor

- i. Resource Person, Finalization of IPR Syllabus for Universities in Bangladesh, Dhaka, November 2009.
- ii. Participant, Distant Learning Tutors and Administrators workshop, World Intellectual Property Organization, Geneva, November, 2009
- iii. Participant, Expert Group on IP and Development, Third World Net Work, Geneva, September 2009.
- iv. Speaker, WIPO Training Programme on Intellectual Property to Officials of Bangladesh, Dhaka, August, 2009
- v. Member, Indian Delegation to the 18<sup>th</sup> Session of the Standing Committee on Copyright and Related Rights of WIPO, at Geneva, Switzerland, May 2009
- vi. Resource person, Law Officer's Conference, Corporation Bank, Mangalore, February, 2010
- vii. Speaker, Roundtable on developing a sui generis law for protecting traditional knowledge, National Law School, Bangalore, January, 2010.

- viii. Resource person, School on Trade and Public Health, Centad & WTO Centre, November 2009.
- ix. Chairman, Conference on GI, WTO Centre, IIFT, September 24-25, 2009.
- x. Speaker, Bayh Dole Conference, NUJS, Kolkata, September 2009.
- xi. Resource Person, WHO Executive Course on Policy Makers: Towards an IPR Regime that Protect Public Health, NLSIU, Bangalore, July 2009
- xii. Organizer, National Conference Copyright – Limitations and Exceptions, MHRD and IPR Chair, CUSAT, May, 2009.
- xiii. Speaker, National Consultation on Protection of Broadcasting Organization, Ministry of Information and Broadcasting, New Delhi, May 2009
- xiv. Resource person, “Law Society and Development”, National Judicial Academy, Bhopal, April, 2009.
- xv. Participant, Round Table on the Protection of Traditional Knowledge, Department of Industrial Policy and Promotion, Government of India, February, 2009.

#### Research Officer (Dr.T.G. Agitha) Paper Presented

- a. “Compulsory Licensing” “WIPO-WTO Colloquium for Teachers of Intellectual Property” held in Geneva, during 22<sup>nd</sup> June to 3<sup>rd</sup> July 2009
- b. “Protection of Indigenous Knowledge under the Indian Intellectual Property Laws: The Reality and the Concerns” in National Seminar on “Vanishing Tradition and Livelihood Systems in Tribal Areas” Organized by The Kerala Institute for Research, Training and Development Studies of Scheduled Castes and Scheduled Tribes (KIRTADS), on 16-18 December, 2009.
- c. “Traditional Knowledge and Geographical Indications”, in “Geographical Indications: Where Do Indian Interest Lie?” Organized by Centre for WTO Studies, Indian Institute of Foreign Trade, New Delhi, at New Delhi on 24<sup>th</sup> and 25<sup>th</sup> September, 2009
- d. “Compulsory Licensing under the Indian Copyright Act”, in National Conference on “Copyright Law: Limitations and Exceptions” held Cochin by HRD Chair on IPR, School of Legal Studies, CUSAT, on 14<sup>th</sup> and 15<sup>th</sup> May, 2009

#### Research Scholars Paper Presented

- a. Saleena, “Challenges to Copyright Users in the Context of Technological Developments” in the National Seminar on ‘Copyright and Neighbouring Rights’ organized by UGC at Indian Legal Thought, Kottayam on 28-29 May, 2009.
- b. Saleena, “Interplay of Law and Technology” in the National Seminar on ‘Impact of Trips Agreement on Indian Legal System’ organized by UGC at Government Law College, Ernakulam on 26-27, 2009.
- c. Saleena, “Trade Mark Jurisprudence in Cyber Space” at the UGC

sponsored Refresher Course on Cyber Laws in Indian Law Institute, New Delhi on 11<sup>th</sup> September, 2009.

- d. Saleena, "Access to Knowledge Is Access to Power: The Pros and Cons of Library Use Exception in Copyright Law" in the UGC sponsored National Conference on 'Role of Open Source Software in Libraries' at Cochin University of Science and Technology on 24-25 November, 2009.

#### LL.M Students Paper Presented

- a. Santhy S, "International Politics and Intellectual Property Rights". The UGC sponsored national seminar on "TRIPS and Globalization: Legal Frame Work and Changes" organized at Hiss Highness The Maharaja's Government Law College, Ernakulam, Kerala, March 2009.
- b. Santhy S, "Gene Patenting – Human Rights Concern", National Seminar organised by University of Kerala, Department of Law held at the PWD hall, Trivandrum, Kerala, August, 2009.
- c. Sakthivel, "Software Patenting-A Study with Special Reference to US and India", U.G.C. sponsored National Conference on Role of Open Software in Library – organised by University Library, CUSAT, November, 2009.
- d. Sakthivel, "Public Health under TRIPS – Human Rights Context". National seminar organised by Kerala University, August, 2009.
- e. Sakthivel, "Statutory Licencing in India and Judicial Trends". MHRD sponsored National Seminar on Copyright and Neighboring Rights – organised by School of Indian Legal Thought, Mahatma Gandhi University, May, 2009.
- f. Sakthivel, "TRIPS- Pharmaceutical Patenting in India", U.G.C. sponsored National seminar on TRIPS and Globalization: Legal Frame Work and Changes- organised by Govt. Law College, Ernakulam, March, 2009.
- g. Arathi Ashok, "Moral Rights of Authors", National Seminar on "TRIPS and Globalization: Legal Framework and Changes" (U.G.C. Sponsored) at Govt. Law College, Ernakulam, March, 2009.
- h. Rujitha T.R, "Database Protection In Bioinformatics And Human Rights". National Seminar on Human Rights Conducted at the Department of Law, University of Kerala, Thiruvananthapuram, August, 2009.
- i. Rujitha T.R., "Patenting Of Life Forms & TRIPS", National Seminar on "TRIPS And Globalisation: Legal Frame Work And Changes" sponsored by UGC & organized by Maharaja's Government Law College, Ernakulam, March, 2009.
- j. Shina V.V, "Right to Import and Parallel Importation", The UGC sponsored national seminar on "TRIPS and Globalization: Legal Frame work and Changes" organized at Hiss Highness The Maharaja's Government Law College, Ernakulam, Kerala, March, 2009.
- k. Shina V.V, "Access to Genetic Resources and Benefit Sharing", National Seminar organised by University of Kerala, Department of Law held at the PWD hall, Trivandrum, Kerala, August, 2009.



- l. Soniya S., "Patenting of Life forms", National Seminar organised by University of Kerala, Department of Law held at the PWD hall, Trivandrum, Kerala, August, 2009.
- m. Prem Kumar, "Patent protection for computer programs in India", UGC sponsored national seminar on TRIPS and Globalization: Legal frame work and changes, Cochin, March 2009.
- n. Nithya Sugunan, "Internet vs. Copyright Law", National Seminar on Copyright and Neighbouring Rights, SILT, Kottayam, May, 2009.
- o. Nithya Sugunan, "Access to Genetics – An Issue of conflicting Human Rights", National Seminar on IP, Scientific Progress and Access to Benefits of Science – Human Rights Perspective, Department of Law, University of Kerala, August, 2009.
- p. Narendran T and Lakshmi Ravindranath, "Domain of Open Source Software Licensing: Directions and Challenges", at UGC Sponsored National Conference on "Role of Open Source Software in Libraries" organised by University Library, CUSAT, November 2009.
- q. Narendran T and Lakshmi Ravindranath, "Plant Varieties Protection Act and the plight of Indian Farmers", National Seminar organised by the Department of Law, University of Kerala, August 2009.

  
 Prof. M.S. Gopalakrishnan,  
 Co-ordinator, HRD Chair on IPR.