

## 5 Year Integrated Dual Degree Programmes

### LLM(IP), Ph.D Degree & LL.M (IPR), Ph.D Degree

#### FACULTY OF LAW

#### REGULATIONS

(As approved by the Academic Council meeting held on 22<sup>nd</sup> November 2012)

#### 1. *Admission to the Course:-*

- (1) Candidates for admission to the integrated 5 year Master of Intellectual Property LLM (IP) Ph.D Degree and LLM (IPR), Ph.D Degree with specialization in IPR subjects (hereinafter LLM (IP), Ph.D and LLM(IPR), Ph.D Degree) shall be required to have passed the Bachelor's Degree examination in Law, Economics, Political Science, History, Management and Science and Technology with 55% from any of the Universities in Kerala or an examination of any other University accepted by the Syndicate as equivalent thereto, and to have obtained rank in the Common Admission Test conducted by the University. Candidates with Bachelor's Degree in Law alone are eligible for admission to LLM (IPR) Ph.D Degree. Candidates with other Bachelor's Degree are eligible for admission to LLM (IP), Ph.D Degree. However a candidate with LL.B degree may opt for LLM (IP), Ph.D Degree at the time of admission. Scheduled Castes/Scheduled Tribe candidates are eligible for concession admissible under the orders of the Government.
- (2) The reservation rules governing admission to Masters Programs made by the Government shall be followed in making admissions.
- (3) Admission to the course shall be based on the performance of the candidate at the Common Admission Test (CAT)
  - a. The CAT shall consist of two parts as given below:
    - i. Part I – Proficiency in English and general knowledge.
    - ii. Part II – Proficiency in the analytical and reasoning capability and aptitude to do research.
  - b. Rank list for admission to the course shall be prepared on the following basis:  
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Part I of CAT	:	50% weightage
Part II of CAT	:	50% weightage
- (4) Matters concerning admission procedure, number of seats, payment of fees, etc., will be prescribed by the authorities and published in the prospectus for the course from time to time.

#### 2. *Eligibility for the degree:-*

- (1) No candidate is eligible for the Degree of LLM (IP), Ph.D, unless he has a *Bachelor's Degree in Economics, Political Science, History, Management, Law and Science and Technology* and undergone the prescribed Core and Elective courses of study in the Inter University Centre for IPR Studies under the University, for not less than five academic years and has published two research papers in the prescribed journals in India or abroad and passed the prescribed examinations according at least 168 credits in core and elective courses offered by the Inter University Centre for IPR Studies with a CGPA of 7 points (C grade 60%). Candidates are allowed to substitute the elective courses by equivalent courses from the Centre or other Departments/Schools/Centers.
- (2) No candidate is eligible for the Degree of LLM (IPR), Ph.D, unless he has a *Bachelor's Degree in Law* and undergone the prescribed Core and Elective courses of study in the Inter University Centre for IPR Studies under the University, for not less than five academic years and has published two research papers in the prescribed journals in India or abroad and passed the prescribed examinations according at least 168 credits in core and elective courses offered by the Inter University Centre for IPR Studies with a CGPA of 7 points (C grade 60%). Candidates are allowed to substitute the elective courses by equivalent courses from the Centre or other Departments/Schools/Centers
- (3) The candidate is, however, permitted to take courses up to a maximum of 240 credits during the total period of 5 years – not exceeding 24 credits per semester – offered from the Inter University Centre for IPR Studies or other Schools/Departments/Centres.
- (4) The candidate who has obtained a CGPA of 7 points (C grade 60%) in the courses he/she has registered in the first four semesters in the first attempt and obtained at least a D Grade in all the courses shall be awarded a LLM (IP) or LLM (IPR) Degree as the case may be, and shall be eligible to continue with the study of the integrated LLM (IP), Ph.D or LLM (IPR), Ph.D Degree as the case may be. **Such candidate shall also be needed to comply with the provisions of Ph.D Regulation of CUSAT applicable from time to time and are exempted from DAT.**
- (5) Those candidates who fail to obtain the required CGPA as mentioned (4) above but obtained at least a D Grade in all the courses offered in the four semesters shall be awarded LLM (IP) or LLM (IPR) Degree as the case may be. In case of failure to secure a D Grade he/she is entitled for two chances to repeat the course during the period of two years after the completion of four semesters.
- (6) The candidate who has obtained at least a D Grade in all the courses he/she has registered during ten semesters alone will be eligible for the award of LLM (IP), Ph.D or LLM (IPR), Ph.D as the case may be. In case of failure to secure a D Grade he/she is entitled for two chances to repeat the course during the period of two years after the completion of the course.

### 3. *Duration and contents of the course:-*

(1) The five year integrated course for the LLM (IP), Ph.D and LL.M (IPR), Ph.D Degree of the University is for a minimum of five academic years consisting of ten semesters. Each semester will be of 16 to 18 weeks of teaching followed by University Examination. The candidates may take more time in the tenth semester for the submission of the thesis and completion of the course. However, the candidate shall complete the course within a maximum period of seven years.

(2) A candidate shall, in the course of ten semesters, undergo instruction in Core and Elective Courses consisting of 168 credits as follows:

Semester	Title of the Course	Nature of the Courses	Credits
First	1. The Concept Law and Justice	Core	4
	2. Foundation Course – I on IPR	Core	4
	3. Seminar Course – I	Core	4
	4. Elective – I	Elective	4
Second	1. Law and Social Change	Core	4
	2. Foundation Course – II on IPR	Core	4
	3. Seminar Course – II	Core	4
	4. Elective – II	Elective	4
Third	1. Research Methodology	Core	4
	2. Course work on IPR – I	Core	8
	3. Elective – III	Elective	4
	4. Elective – IV	Elective	4
Fourth	1. Course work on IPR – II	Core	8
	2. Course work on IPR – III	Core	8
	3. Elective – V	Elective	4 (72)
Fifth	1. Course work on IPR – IV	Core	8
	2. Course work on IPR – V	Core	8
	<b>3. Thesis work with evaluation at the end</b>		
Sixth	1. Course work on IPR – VI	Core	8

	2. Course work on IPR – VII <b>3. Thesis work with evaluation at the end</b>	Core	8
Seventh	1. Course work on IPR – VIII 2. Course work on IPR – IX 3. Thesis work with evaluation at the end	Core Core	8 8
Eighth	1. Course work on IPR – X 2. Course work on IPR – XI <b>3. Thesis work with evaluation at the end</b>	Core Core	8 8
<b>Ninth &amp; Tenth</b>	<b>Thesis on IPR</b> <b>(Pre-submission seminar, followed by a Viva voce at the end of the 9<sup>th</sup> /10<sup>th</sup> Semester)</b>	Core	<b>32</b>
	<b>Total</b>		<b>168</b>

**Explanation:****Course work on IPR**

- a. The course work on IPR is organized based on the preparation of the required number of research papers and presentation of seminars with the help of teachers identified for this purpose by the Faculty Council of the Centre.
- b. The Faculty Council shall constitute a committee of two teachers (one as supervising teacher) for every candidate from the third semester.
- c. The candidate shall identify one topic for each course from the tentative list of areas for course work identified in the syllabus and further expanded by the Faculty Council of the Centre from time to time in the beginning of the semester in consultation with the supervising teacher assigned to him by the Faculty Council.
- d. Generally a teacher may not be allowed to supervise more than five candidates for course work. However the Faculty Council may, if the situation so demands, permit a teacher to supervise more than five candidates but in no case shall he/she be permitted to supervise more than eight candidates.
- e. The teachers entrusted with the responsibility of course work shall help the candidate in identifying, analyzing and presenting the problem in the research paper. The teacher's input should be equivalent to the work he might otherwise put in teaching the two

courses with 4 credits each and he/she should make sure that the final paper is of publishable quality.

- f. Unless and until the Supervising teacher approves the research paper the candidate shall not be permitted to submit the research paper for evaluation and presentation of a seminar before the Committee appointed by the Faculty Council as per clause (b) above.
- g. The approved research paper shall be submitted to the Centre 15 days before the completion of the Semester and the seminar shall be organized before the end of the Semester.

#### **4. Examinations:-**

**(1)** The evaluation of all the courses other than thesis is **internal by the teacher/s offering the courses.**

**(2)** The evaluation for the core/elective papers are based on an overall assessment of the performance of the candidate during the semester. This is as follows:

i. Presentation of class assignment	10 marks
ii. Participation in the class	5 marks
iii. Written assignment	15 marks
iv. Midterm written examination	30 marks
v. End term written examination	40 marks

**(3)** The evaluation of seminar course is based on the participation, presentation and written submission of the candidate on current topics discussed in the weekly seminars organized by the Centre.

**(4)** The course work consists of 150 marks for written research paper and 50 marks for the seminar presentation. The research paper and the presentation of the seminar shall be evaluated by the Committee members independently and the average shall be taken as the final grade of the candidate for that particular course.

**(5)** The teacher shall publish all the marks within 10 working days of conducting the evaluation and also provide the copy of the written papers with the marks awarded, if so requested by the candidate within one month of the publication of the result.

#### **Explanation: -**

(1) The identification of the topic for writing research paper for course work is done by the candidates in consultation with the supervising teacher. But the collection and collation of the material have necessarily to be undertaken by the candidate as per the scheme of his/her programme. The organisation of the material and the orderly discussion with appropriate references and suggestions for improvements are to be done by the candidate himself/herself. The research methodology, generally speaking, is to be determined in consultation with the

supervising teacher. The idea is to make him/her capable of researching and writing a paper on any subject of importance in his/her professional life.

In view of the above the candidates' performance may be evaluated in the following method:

Total marks allotted to research paper	:	150
(a) Importance and relevance of the topic	:	5
(b) Adequacy of material	:	40
(c) Organization of the material in the thesis	:	25
(d) Language and style	:	25
(e) Suggestions	:	30
(f) Punctuation and footnoting	:	25

Though this is generally stated an examiner who is impressed by the general get up of the work may have freedom to make necessary adjustments in marking for the above ingredients. The idea is not at all to restrict the freedom of the examiner. This structuring is resorted to help the examiner decide the publishability of the research paper.

(2) The purpose of presentation of the paper is to make sure that the candidate has done the work independently. This is to evaluate the ability of the candidate to communicate and answer questions. The idea is to develop the necessary communication skills that are necessary for his/her professional life.

In view of the above, the candidates' performance may be evaluated in the following method:

Total Marks for the presentation		50 marks
(i) Content of the presentation		20 marks
(ii) Organization and presentation		10 marks
(iii) Language and style		5 marks
(iv) Answering questions		10 marks
(v) Overall impression		5 marks

### **5. Thesis Work:**

The candidate shall follow all the procedure mentioned for the course work including the presentation before the final thesis is submitted for evaluation. The candidate may take more than a semester for the purpose of completion of the thesis. The thesis shall be evaluated by three external experts in the field. The external experts shall be identified by the Vice Chancellor from the panel of experts submitted by the Director of IUCIPRS in consultation with the Supervising Committee. The candidate shall secure at least a D grade from at least two examiners for the successful completion of the course. In case he fails to get the D grade he shall resubmit the thesis for fresh evaluation after carrying out the suggestions given by the examiners within a maximum period of seven years from the date of commencement of the course.

## 6. Classification:-

The following Grades will be awarded based on the overall performance in each course.

Range of marks	Grade	Weightage
90%	S - Outstanding	10
80 90 %	A - Excellent	9
70 80 %	B - Very Good	8
60 70 %	C - Good	7
50 60 %	D - Satisfactory	6
50%	F - Failed	0

Overall performance at the end of the semester will be indicated by Grade Point Average (GPA) calculated as follows:

$$\text{GPA} = \frac{G_1C_1 + G_2C_2 + G_3C_3 + \dots + G_nC_n}{C_1 + C_2 + C_3 + \dots + C_n}$$

Where 'G' refers to the Grade weightage and 'C' refers to the credit value of corresponding course undergone by the candidate.

## 7. Publication of Research Papers:-

The candidate shall publish at least two research papers during the course of his study of which one could be in any academic journal published by the Cochin University of Science and Technology and others in journals identified by the Faculty Council for this purpose:

## 8. Grievance Committee:-

- (1) In case any candidate is not satisfied with the evaluation of the written part of any course offered by the teacher he shall, within 10 working days of publication of the result, make a written request to the Director of the Inter University Centre for IPR Studies to review the result.
- (2) The Director, within two working days, shall place the matter before the Faculty Council and the Faculty Council, if satisfied by the request of the candidate, shall constitute a Grievance Committee of three teachers other than the teacher/s who offered the course to look into the grievance.
- (3) The Grievance Committee, within seven working days, after giving opportunity to the candidate and the teacher/s who offered the course, shall take a final decision. If the Committee is satisfied with the grievance of the candidate the Committee shall recommend to the Vice-Chancellor of CUSAT to send the written papers to one of the three experts in the field, identified by the Committee from the list of five experts given by teacher who offered the course. In case the teacher fails to give the list, the experts shall be identified by the Grievance Committee.

- (4)** In case there is a difference of more than 15% of marks in the evaluation of the expert, the candidate shall be awarded the marks given by the expert and the results revised accordingly.

**9. *Revision of Regulations and Curriculum***

The University may from time to time revise, amend or change the Regulations, scheme of Examinations and the syllabus. In the case of candidates already undergoing the course the changes will take effect from the beginning of the following academic year after the changes are introduced, and shall cover the part of the course that remains to be completed.