

**DEPARTMENT OF LAW,  
DESHBANDHU CHITTARANJAN SCHOOL OF LEGAL STUDIES  
ASSAM UNIVERSITY, SILCHAR**

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**NOTICE**

This is for information of all concerned that the Department of Law offers the following Choice Based Open Course for the second semester students during the Session 2016-17.

LLM :203(o) : ***Intellectual Property Law***

LLM. 204(O) : ***Environmental Law***

The Post-Graduate (2<sup>nd</sup> semester) from other Departments who are interested in pursuing above mentioned Open Course in the Department of Law may submit application to the HOD of Law which should be duly forwarded through the HOD of the Parent Department on or before 21<sup>st</sup> Dec 2015 positively.

(Dr. M. Dhar Sarkar )  
Head  
Dept. of Law, AUS

No.AU/Law/55/OP-1/2015-16

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1. P.S. to V.C. for kind information of the Hon'ble Vice-Chancellor.
2. Director, Computer Centre for uploading the same.
3. Dean, School of Legal Studies, AUS.
4. Office file.

Head  
Dept. of Law, AUS

**Unit-I**

**PATENTS**

Definition-History- Growth-Patentable Invention-Procedure for obtaining Patent-Specifications-Transfer-Revocation-Infringement-Patent agents-Rights conferred on- Patentee-Remedies

**Unit-II**

**COPY RIGHTS AND RELATED RIGHTS**

Meaning-characteristics-Term-Author & ownership-Registration-Rights conferred by-Copy Right-Assignment-Infringement-Remedies-Regulatory Authorities-performers rights

**Unit-III**

**TRADE MARKS AND DESIGNS**

Trade Mark- Trade Description-essentials- growth- importance - Essentials-Statutory Authorities-Principles and Procedures of registration-Rights conferred on Registration-Infringement-Licensing

Design-Subject matter- Registrability-Designs Act, 2000

**Unit-IV**

**GEOGRAPHICAL INDICATIONS AND PROTECTION OF IPR OF THE INDEGENOUS**

Meaning-Distinction between Geographical Indications-Trade Mark and collective Mark-prohibited GIs- Homonymous GIs-Geographical Indication of Goods (Registration and Protection) Act, 1999 & Rules, 2002-Registration-Rights Conferred on Registration-Infringements-Regulatory Authorities-Remedies

**Unit-V**

**TRIPS agreement and WIPO**

**UNIT-I BASIC FEATURES OF ENVIRONMENTAL LAW.**

1. Meaning and definition of Environment and Pollution, Kinds of pollution and their impact.
2. Ancient Indian Philosophy relating to environment.
3. Common Law and Criminal Law Perspective for Environment Protection.

**UNIT-II INTERNATIONAL ENVIRONMENTAL LAW**

1. International obligation over sustainable development.
2. The landmarks in International Environmental Law- a Journey from Stockholm to Johannesburg .
3. Important conventions concerning Protection and Conservation of Environment: Vienna Convention and Protocol on the Depletion of Ozone Layer, Convention and Protocol on Climate Change, Chemical Weapons Convention, Basel Convention and Regulation of Hazardous Waste Convention on Biological Diversity.
4. Regulation of trans-boundary pollution with special reference to Industrial Accidents and Air pollution.
5. Impact of International Environmental Law on Indian Law with special reference to Principles of Environmental protection.

**UNIT-III NATURAL RESOURCES AND THE LAW IN INDIA**

1. Protection of Wild Life-with special reference to authorities, sanction and remedies under Wild Life (Protection) Act, 1972.
2. Protection and conservation of Forest-with special reference to Authorities, sanctions and remedies under Forest Act, 1927 and Forest Conservation Act, 1980.
3. Conservation of Fresh water and Ground water. Coastal Zone Management under the Environment (Protection) Act, 1986 and other relevant Statutes.
4. Protection and Conservation of Biodiversity with special reference to Biodiversity Act 2002.
5. The scope and limit of PIL to protect the natural resources-(With Special emphasis on the directives of the Supreme Court of India)

#### **UNIT-IV POLLUTION CONTROL LAWS IN INDIA**

1. Constitutional Mandate and Environment with special reference to Article 32 and 226.(Emphasizing on the use of PIL as a tool to provide environmental Justice)
2. Comparative study of Water Act, 1974, the Air Act, 1981 and the Environment (protection) Act, 1986 with special reference to authorities, mechanism and sanctions.
3. Efficacy of Remedies – Section 133 Criminal procedure Code, Public Liability Insurance Act, 1991, National Environmental Tribunal Act, 1995, National Environment Appellate Authority Act, 1997, Citizens' Suit provisions, remedies under Civil Procedure Code,1908.
4. Specific Environmental Problems and Legal Response.(With special emphasis on rules and notification framed under the Environment (protection)Act,
5. Environment Impact Assessment and People's participation, EIA and Public Hearing under the Environment Protection Act, 1986.

#### **UNIT-V THE SCOPE AND LIMIT OF PIL AND LEGAL RESPONSES TO SPECIFIC ENVIRONMENTAL JUSTICE.**

1. PIL as a tool to provide Environmental Justice.
2. The Scope and Limit of PIL to protect natural resources.
3. Specific Environmental Problems and Legal responses- Rules and Notifications framed under Environment (Protection) Act 1986

#### **Recommended Readings:**

(C.M. Abraham, Environmental Jurisprudence in India (1999), Kluwer  
Madhav Gadgil and Ramachandra Guha, This Fissured Island: An Ecological  
History of India  
(1996), Oxford.

R.B. Singh & Suresh Misra, Environmental Law in India (1996), Concept  
Publishing Co., New  
Delhi.1981)

Kailash Thakur, Environmental Protection: Law and Policy in India (1997), Deep  
& Deep Publications,  
New Delhi.

Richard L. Riversz, et. al. (eds.), Environmental Law, the Economy and  
Sustainable Development

(2000), Cambridge.

Christopher D. Stone, *Should Trees Have Standing and other Essays on Law, Morals and the*

*Environment* (1996), Oceana

Stuart Bell and Donald McGillivray, *Environmental Law* (2000), Blackstone Press.

Charles A.R. Webster, *Environmental Health Law* (1981)

Leelakrishnan, P et. al. (eds.) *Law and Environment* (1990), Eastern

Leelakrishnan, P, *The Environmental Law in India* (1999), Butterworths-India

Department of Science and Technology, Government of India, *Report of the Committee for*

*Recommending Legislative Measures and Administrative Machinery for Ensuring Environmental*

*Protection* (1980) (Tiwari Committee Report).

Thomas J. Schoenbaum, *Environmental Policy Law* (1992), Foundation Press, Inc. Westbury,

New York.

P. Leelakrishnan: *Environmental Law in India* (2<sup>nd</sup> Ed. 2005) Lexis Butterworth.

Armin Rozencranz et. al. (eds) *Environmental Policy and Law in India* (2000), Butterworths India.

Stuart Bell & Donald Mc Gillivray, *Environmental Law- The Laws and Policy Relating to Protection of Environment* (6<sup>th</sup> Ed. 2006) Oxford