

**SCHEME OF EXAMINATION**

**and**

**SYLLABUS**

**for**

**MASTER OF LAWS**

**[One Year]**

**[LL.M. in IPR]**



**GURU GOBIND SINGH  
INDRAPRASTHA  
UNIVERSITY**

**UNIVERSITY SCHOOL OF LAW AND LEGAL STUDIES**

**Guru Gobind Singh Indraprastha University**

**Dawark Sector-16-C, New Delhi-110078**

The one year LLM programme shall be introduced from the Academic Year, 2014-15 in the university.

### LL.M (One Year) – IPR

#### Semester I

<b>Paper Code</b>	<b>Paper Title</b>	<b>L</b>	<b>RTDA</b>	<b>C</b>
GEN 101	Research Methods and Legal Writing	4	2	5
GEN 103	System of Governance	4	2	5
GEN 105	Law and Justice in a Globalised World	4	2	5
IPR 107	Nature, Emergence and Development of IPR	4	2	5
IPR 109	Law of Copyright	4	2	5

#### Semester II

<b>Paper Code</b>	<b>Paper Title</b>	<b>L</b>	<b>RTDA*</b>	<b>C</b>
IPR 102	Law of Patents	4	2	5
IPR 104	Law of Trade Mark	4	2	5
IPR 106	Law of Designs, Layout Designs and Geographical Indications	4	2	5
IPR 108	Protection of Plant Varieties and Traditional Knowledge	4	2	5
GEN 110	Dissertation**	-	-	10

#### *Explanations*

\* RTDA – Research and Teaching Development Activities

\*\* NUES

### **Mode of Evaluation and Distribution of Marks**

Each course shall carry total of 100 marks. There shall be semester end written examination for all the courses conducted by Examination Division of the University for 60 Marks. In each course in each semester there shall be Internal-examinations of 15 marks and 25 marks through written and RTDA evaluation respectively as continuous assessment by the subject teacher concerned.

#### **Note:**

The total number of Credits of the LL.M. Programme is 55 (Fifty Five).

1. Each student shall be required to appear for examination in all the papers of the course and secure 55 credits for the award of a degree.

**Objective:** This paper will make students understand research methodology and different components of legal research and their application. The paper will attempt to instill rational tools of analysis in the students so that their research contributes to the development of socio-legal dimensions.

**Unit – I: Precepts**

**(Lectures 10)**

- a. Nature, Scope and Objectives of Legal Research and Methodology
- b. Methods of Legal Research
- c. Collaborative Research
- d. Doctrinal and Non-Doctrinal

**Unit - II: Research Designs**

**(Lectures 10)**

- a. Identification and Formulation of Research Problem
- b. Hypothesis and Research Design (Characteristics and contents)
- c. Database for Legal Research: Legislations, Judicial Decisions, Juristic Writings and Traditional and Online Databases

**Unit - III: Research Techniques**

**(Lectures 10)**

- a. Methodology: Tool and Techniques for collection of data, collection of case materials and juristic literature, use of historical and comparative research material and use of questionnaire and interview.
- b. Census and Survey
- c. Sampling: Types, Merits and Demerits
- d. Observation
- e. Interview, Questionnaire

**Unit – IV: Data Processing Report Writing**

**(Lectures 10)**

- a. Data Analysis and Interpretation
- b. Report Writing
- c. Supervision
- d. Guidelines for researchers
- e. Research Ethics

### **Text Books:**

1. S.K. Verma and M. Afzal Wani (Eds.) *Legal Research and Methodology*, Indian Law Institute (2001) 2<sup>nd</sup> Edition.
2. Goode and Hatt, '*Methods in Social Research*', Singapore, Mc. Graw Hill Book Co., 1985 (reprint).

### **References:**

1. Baxi, Upendra, '*Socio-Legal Research in India – A Program Schriff*', ICSSR, Occasional Monograph, 1975.
2. Cohen, Morris L., '*Legal Research*', Minnesota, West Publishing Co. 1985.
3. Ghosh, B.N., '*Scientific Method and Social Research*', New Delhi, Sterling Publishers Pvt. Ltd., 1984.
4. Johari J.C. (ed), '*Introduction to the Method of Social Sciences*', New Delhi, Sterling Publishers Pvt. Ltd. 1988.
5. Kothari C.K., '*Research Methodology: Method and Techniques*', New Delhi, Wiley Eastern Ltd., 1980.
6. Stone, Julius, '*Legal System and Lawyer's Reasoning*', Sydney, Maitland Publications, 1968.

**Objective:** The objective is to enable the students understand and appreciate various forms and systems of Governance. The students should particularly appreciate the role of judicial institutions in promotion of governance, its limitations and challenges.

**Unit - I : Introduction**

**(Lectures 10)**

- a. Meaning and Concept of Governance
- b. Systems of Governance
- c. Constitutional Governance: Democracy, Rule of Law and Separation of Powers
- d. Law and Governance in India

**Unit - II : Federalism as a Pattern of Governance**

**(Lectures 10)**

- a. Nature and Principles of Federal Governance : Classical and Modern
- b. Comparative Analysis of American, Canadian and Indian Systems
- c. Corporative Federalism in India: Legislative, Administrative and Financial Relations between Union and States.

**Unit - III: Judicial process and its role in Governance**

**(Lectures 10)**

- a. Concept and Practice of Judicial Review in India and USA
- b. Judicial Accountability, Administrative and Parliamentary Ethics
- c. Role of Judiciary in Promoting Governance: Human Rights, Criminal Justice System, Environment, Public Health etc.
- d. Research and Development in Governance

**Unit-IV: Emerging Trends and Challenges to Governance**

**(Lectures 10)**

- a. Challenges to Governance: Corruption, Criminalization, Caste, Poverty, Terrorism etc.
- b. State Responsibility & PPP
- c. Principles of compensatory discrimination, Religious and Linguistic Minorities
- d. Role of Media in Governance

**Text Books:**

1. Joseph Minattur, *Indian Legal System*, ILI Publication, 2006 ( 2<sup>nd</sup> Revised Edn)
2. Allot, A.N. "African Law", in J.D. M. Derret, Ed., *An Introduction to Legal Systems* (London: Sweet & Maxwell, 1968), 131.
3. ASEAN Law Association, *ASEAN Legal Systems* (Hong Kong/Malaysia/Singapore: Butterworths, 1995).
4. Basu, D. D., *Comparative Federalism*, New Delhi: Prentice-Hall, 1987.

5. Baxi, U., "The Colonial Heritage", in Legrand, P. and Munday, R., eds., *Comparative Legal Studies: Traditions and Transitions* (Cambridge University Press, 2003), 46.

**References:**

1. C. H. Mell Wain, *Constitutionalism: Ancient and Modern*. (1947).
2. A. V. Dicey, *Introduction to the Study of Law of the Constitution*. (1982) Edition.
3. Lary Alexander (ed). *Constitutionalism: Philosophical Foundations*. Cambridge. (1998)
4. M. P. Singh 'Constitution of India. 11<sup>th</sup> Ed. 2008, Eastern Book Co.
5. K. C. Wheare. *Federal Government*. Ch. 1 & 2, 4<sup>th</sup> Edition 1963.
6. M. P. Singh. *Federalism, Democracy and Human Rights*. 47 J.I.L.I. 47 (2005).
7. Parmanand Singh 'Social Rights and Good Governance In C. Raj Kumar and D. K. Srivastava (ed.) *Human rights and Development: Law, Policy and Governance* Ch.24 pp.437-54. Lexis Nexis. Hong Kong. (2006).
8. Parmanand Singh 'Hunger Amidst Plenty: Reflections on Law, Poverty and Governance. 48, J.I.L.I. PP 57-77. (2006).
9. Virendra Kumar. *Dynamics of Reservation Policy: Towards a More Inclusive Social Order*, 50, J.I.L.I. PP 478-517. (2007).
10. Virendra Kumar, *Minorities' Rights to Run Educational Institutions: T. M. A. Pai Foundation in Perspective*. 45, J.I.L.I. PP 200-238. (2003).
11. Parmanand Singh 'Equality and Compensatory Discrimination: The Indian Experience, In Choklingam and C. Raj Kumar (ed) *Human rights, Criminal Justice and Constitutional Empowerment*, Chapter 7, Oxford, Delhi. (2006).
12. Parmanand Singh. *Protecting the Rights of the Disadvantaged Groups Through Public Interest Litigation*, in M. P. Singh et al (ed), *Human Rights and Basic Needs: Theory and Practice*, Universal Law Publishing Company, New Delhi, PP 305-329. (2008).
13. Balakrishnan, K. G. 'Judiciary in India: Problems and Prospects. 50, J.I.L.I. PP 461-467 (2008).

**Objectives:** The students should understand the process of globalization in all its dimensions and perspectives, they should particularly appreciate the globalization in the context of law and justice and the *vice versa* i.e. the law and justice in the context of globalization.

**Unit-I: Justice in Globalising World: Existing Scenario**

- a. Globalisation as Process
- b. Existing Scenarios and Issues: Economic, Social, Political
- c. Rethinking the Idea of Just World Order

**Unit-II: Mechanism of Justice under International Legal Regime**

- a. United Nations' Institutional Mechanism
- b. Responsibility of Nation States
- c. Challenges and the Way Forward

**Unit-III: Globalisation and National Justice Delivery System**

- a. Avoidance of National Jurisdictions
- b. Intervention of International Human Rights Regime
- c. Third World's Perspectives to Globalisation

**Unit-IV: Emerging Initiatives for Justice**

- a. MNCs and CSRs
- b. Other New Initiatives
- c. Global *Ombudsman*
- d. Protection of Faiths and Culture

**Text Books:**

1. Kai Ambos, Judith Large, Marieke Wierda, *Building a Future on Peace and Justice: Studies on Transitional Justice, Peace and Development The Nuremberg Declaration on Peace and Justice*, Springer Science & Business Media, 2008
2. Andrew Byrnes, Mika Hayashi, Christopher Michaelson, *International Law in the New Age of Globalization*, Martinus Nijhoff Publishers, 2013

**References:**

1. Joseph Stiglitz, *Making Globalisation Work: The Next Step to Global Justice*, Penguin 2007
2. Antony Anghie (Editor), *The Third World and International Order: Law, Politics, and Globalization*, Kluwer Law International, 2003