

Tenth Semester

Paper – I

TRADE IN INTELLECTUAL PROPERTY

(Option I)

Outcome :- This paper enhances the ability of law students to instill the concepts of Intellectual Property and articulate the different Intellectual Property Rights and understand the intricacies of the IP laws and also equip the students in all aspects of IP lawyering

1. Nature of intellectual property: - International Character of Intellectual property - Commercial Exploitation of Intellectual property - Intellectual Property and Economic Development - Patent Law: - Patent - Object of Patent Law - Patentable Invention - Patent a source of Technical information - How to obtain Patent - Objection to Grant of Patent - Rights and Obligations of Patents - Register of Patents and Patent Office - Transfer of Patent Right - Revocation and Surrender of Patents - Infringement of Patents and Proceedings - Offences and penalties.

2. Trade Mark: - What is Trade Mark? - Forms of protecting Trade Mark and Goodwill Certification of Trade Marks - Property in Trade Mark and Registration - Licensing of trade mark and registered users - Different terms of protecting trade marks and Goodwill - passing off - Service marks - Infringement, Threat and Tradelabel - Assignment and Transmission - Deceptive Similarities

3. Copyright: - Definition of copyright - Object of copyright, Nature of Copyright - Subject matter of Copyright - Rights conferred by copyright - Assignment, Transmission and relinquishment of copyright - Infringement of Copyright - Remedies against infringement of Copyright - Copyright Office, Copyright Board, - Registration of Copyright & Appeal - Copyright societies - Rights of Broadcasting Organisation & Performers - Copyright and International Law

4. Industrial Designs: - Subject matter of Designs - Novelty and originality, Registration of designs - Registration of design and Rights thereof - Infringement of copyright in a design - Civil remedies against piracy and defences - Suit for injunction and recovery of damages

5. Confidential information and Breach of confidence: - Protection of confidential information - Action for breach of confidence - Industrial and trade secrets – Remedies - Application of LPR in Agriculture, Biotechnology and

Biodiversity – Conservation, challenges and legal solutions - Bio-technology and patent protection - Plant genetic resources in nature. The value of genetic diversity - Evolution of plant protection systems in international community-Farmers and breeders rights-Legislative initiatives. - Intellectual Property and Conservation of traditional knowledge.

Prescribed Readings: (With amendments)

1. Copy right of Trade Mark and GATT. Taxman.
2. P. Narayanan, Patent Law, Second Edn., Eastern Book Co.
3. W.R. Cornish, Intellectual Property, I Edn., Universal Book Co.
4. Hillary, a person of Clifford Miller, Commercial Exploitation of Intellectual Property, Universal Book Traders(1994).
5. Beier, F.K., R.S., Crespi, J. Straus. Biotechnology and Patent protection (1986) Oxford and IBH Pub. Co.
6. Vandana Shiva Ingunn Moser (Edn.) Bio-politics (1996).
7. Jayashree Watal, Intellectual property and WTO in the Developing countries, 2000, OUP.
8. Suman Sahai Ed. Bio-resources and Biotechnology, Policy Concerns for the Asian Region (1999) Gene Campaign.

Paper I

**LOCAL SELF GOVERNMENT INCLUDING PANCHAYAT
ADMINISTRATION (Option II)**

Outcome :- This paper realizes the students the necessity to strengthen decentralization and local self government in order to contribute to the local good governance in India and also to foster research in decentralization and local self government.

1. Meaning, Nature, Characteristics of Local Self Government

Advantages and disadvantages of local self government-Constitutional provisions

2. Evolution of Local Self Government in India - (i) Lord Ripen's Resolution - (ii) Royal Commission - (iii) Community development programme, National Extension Service - (iv) The Balvantrai Mehta committee report - (v) The Vasantrao Naik committee report

3. Panchayat Raj - Gram Sabhas, Establishment and constitution of panchayats - Constitution of Panchayats at Different Levels- Delimitation of Constituencies- State Election Commission-Preparation of Electoral Rolls- Qualifications and Disqualifications-Conduct of Elections-Disputes Regarding Election- Corrupt Practices and Electoral Offences- Provision Relating to Members and President of Panchayats- Meetings, Powers, Functions, Duties and Property of

Panchayats-Officers and Employees of Panchayats-Finance Commission and Its Powers- Functions of the Government- Finance and Taxation- Public Safety, Convenience and Health-Buildings - Registration of Private Hospitals and Paramedical Institutions-Right to Information-

4. Municipalities - Composition - Qualification and disqualification of membership - Election to the Municipalities - Functions of Municipalities

5. Finance Commission on Panchayat and Municipalities-Ombudsman for Local Self Government Institutions- Tribunal for Local Self Government Institutions

Prescribed Readings: (With amendments)

1. The Kerala Panchayat Raj Act 1994
2. The Kerala Municipality Act 1994
3. Local Government in India, Venkata Rangaiya
4. Local Government in Crisis, William A. Robson
5. Local Government in Ancient India, Radha Kumud- Mookerly
6. Proposal For Model Legislation for Municipal Corporation IIPA

Paper – II
Criminology and Penology
(Option I)

Outcome:- This paper provides the students a thorough knowledge about the scientific study of the nature, extent, management, causes, control, consequences, and prevention of criminal behavior, both on the individual and the social level and also about the principles, theories and methods of punishment in relation to crimes.

1. Nature and Scope of Criminology: - Inter relation between Criminology, Penology and Criminal Law - Criminal Law and its nature and elements - Concept of Crime – Intention and Motive - Importance of Criminology - Schools of Criminology: - Pre – classical School of Criminology - Classical School - Positive School - Clinical School of Criminology - Sociological School of Criminology - The New Criminology -

2. Causation of Crime: - Mc. Naughten Rule - Insanity Under Indian Criminal Law - Bio-Physical Factors and Criminality - Freud's theory of Criminal Jurisprudence - Conflict Theory of Crime - Sociological Theory of Crime: - Multiple factor approach to crime causation - Mobility, Culture, Conflict, Family background - Political ideology, religion and crime influence of media, economic

condition - Temptative Theory of Crime: - Crime as a product of social disorganization – Socio Cultural Pattern and Criminal Behaviour

3. Organised Crimes: - Main characteristics of Organised crime - White collar crime: - Definition - Contributing Factors – White-Collar Crime in India - Whiter Collar Crime in Professions - Alcoholism, Drug Addiction and Crime: - Main causes of drug addiction – classification of Indian law.

4. Penology - Theories of Punishment - Essential of an ideal Penal System - Penal Policy in India - Capital Punishment:- *euthanasia*.

5. Police system – Development of police organization – legal functions of police – women police – criminal law courts – Lok Adalats – Legal Service Authority Act, 1987 – object of criminal trial – Functions of criminal courts – Prison administration – prison discipline – prison labour – Jail reform committees – prison reforms – problems of under trial prisoners - bar against handcuffing – solitary confinement – custodial torture in prisons.

Prescribed Readings;

1. Prof. N.V. Paranjape – Criminology and Penology
2. Ahmad Siddique – Criminology and Penology.

Or

Women and the Law

(Option II)

Outcome :- This paper makes familiar with the issues commonly associated with notions of women's right to bodily integrity and autonomy, to be free from sexual violence, to hold public office, to have equal rights in family law, to work, to fare wages or equal pay, to have reproductive rights, to education etc.

1. Status of Women in Indian Society:- Rights of the women under the Constitution-Women Reservations in Election Local Bodies – Directive Principles and Women – Right to Women to Economic Development - Personal Laws and Gender Justice – Uniform Civil Code
2. Women and Criminal Law: - Offences relating to Marriage - Cruelty by husband or his relatives for dowry - Outraging the modesty of women – Police Atrocities - Custodial Rape – Sexual harassment - Legislation on Criminal Traffic - Prevention of Immoral Traffic and Women: - Rehabilitative and Remedial Provisions
3. Law relating to Dowry Prohibition: - Dowry Prohibition Act, 1961 - Dowry death and dowry suicide

4. Women and Industrial Law: - Equal Remuneration for Men and Women - Welfare and Safety of Women in Industrial law
5. Women and Special Laws: - Women's Commission - Family Court Act, 1984 - Indecent Representation of Women (Prohibition) Act, 1986.

Prescribed Readings:

- Prof. N.V. Paranjape – Criminology and Penology
 Ahmad Siddique – Criminology and Penology.
 John Hogan - Modern Criminology
 G.B.Reddy - Women and the Law
 Katherine S. Williams- Criminology
 Sutherland and Cressey - Principles of Criminology
 Michael Doherty - Criminology
 George B. Vold - Theoretical Criminology

Relevant Provisions of the Constitution (with amendments)

- “ Hindu Marriage Ac, 1955
 “ Adoption and Maintenance Act, 1956
 “ Maternity Benefit Act, 1961
 “ Dowry Prohibition Act, 1961
 “ Family Court Act, 1984
 “ National Commission for Women Act, 1990
 “ Protection of Human Rights Act, 1993
 “ Muslim Women's (Protection of Right on Divorce) Act, 1986
 “ Muslim Women's (Protection of Right on Marriage) Act, 2019

Paper – III

PUBLIC INTERNATIONAL LAW

Outcome:- This paper provides students thorough knowledge of various aspects of Public International Law so as to equip them to solve the issues of Public International Law in academic level as well as in the field of advocacy.

1.Basic Aspects of International Law;: Nature and basis of International Law, definition of International Law, Relationship between Muncipal Law and International Law, Sources of International Law - State as subject of International Law: essentials of statehood - not fully sovereign states and other entities - right

and duties of states - modes of acquisition and loss of state territory - state responsibility.

2. Recognition : Concept of recognition - theories, kinds and consequences of recognition - state succession - Equitable resource utilization and justification: law of sea, air and outer space - common heritage of mankind.

3.State jurisdiction: Basis of jurisdiction - sovereign immunity, diplomatic privileges and immunities.

4.Treaties: Making of Treaty - Reservations to treaty, *Pacta sunt servanda*, modes of termination of treaty.

5.UNO, Principles and Purpose of UNO, Security Council , General Assembly, ECOSOC - Trusteeship Council, ICJ - World Trade Organization- International Labour Organization

Prescribed Books:

J G Starke, An Introduction to International Law

P. W. Bowett, International Institutions

Reference Books:

J B Brierly - The Law of Nations

D H Harris - International Law (Cases and Materials)

Oppenheim - International law, Volume I, Peace,

S K Kapoor - International Law

Bhagirathlal Das - World Trade Organization

Malcolm N.Shaw- International Law

Paper – IV

**MOOT COURT EXERCISE, OBSERVANCE OF TRIAL, INTERVIEWING
TECHNIQUES AND PRE-TRIAL PREPARATIONS**
(Practical paper – IV)

Outcome :- This paper helps the students learn to analyse legal issues and to understand the practical side of practising law and equip the students with the tactics of framing issues from a given detailed hypothetical or imaginary fact scenario. It also enhances the talent to rehearse arguments, identify weaknesses, sharpen reflexes, and deepen knowledge of the cases.

This paper will have three components of 30 marks each, and the fourth component will be a viva-voce examination for 10 marks.

1. Moot Court (30 Marks)

Every student will do at least 3 (three) moot court in a year with 10 marks for each. Each moot court work will be on assigned problem and it will be evaluated as follows:

- 1.1 Written submissions : 5 marks
- 1.2 Oral advocacy : 5 marks
- 2. Observance of Trial in two cases (30 marks)
 - 2.1 One Civil case : 15 marks
 - 2.2 One Criminal case : 15 marks

Students shall attend two trials in the course of the last two or three years of law course. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment.

- 3. Interviewing techniques and Pre-trial preparation (30 marks)
 - 3.1 Two interviewing sessions of clients : 15 marks
 - 3.2 Observation of the preparation of documents and court papers : 15 marks

Each student will have to observe 2 (two) interviewing sessions of clients at the Lawyers' Office/Legal Aid Clinic and record the proceedings in a diary which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary which will carry 15 marks.

- 4. Viva Voce examination on all the above three aspects (10 marks)
- Viva voce examination shall be conducted by a panel consists of two senior teachers other than teachers in charge of the subject.

Internship – Each student shall have completed minimum of 20 weeks internship during the entire period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies where law is practised either in action or in dispute resolution or in management.

Provided that internship in any year cannot be for a continuous period of more than Four weeks and all students shall at least gone through once in the entire

academic period with Trial and Appellate Advocates. Internship shall be done without affecting the regular classes.

Each student shall keep internship diary and the same shall be evaluated by the Guide in Internship and also a Core Faculty member.

External Viva-voce examination in the Tenth semester shall be conducted by the Board of Examiners constituted by the University.

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| | Moot court exercise, Observance of Trial, Interviewing techniques and Pre-trial preparations - (Practical paper – IV) | | 100 | | 100 |
| | Internship | | 50 | | 50 |
| | External Viva voce | | | | 50 |

Pattern of Question Paper for Law subjects - 2020 Admission onwards

Reg. No.....

Name.....

.....SEMESTER LL.B DEGREE EXAMINATION.....

Paper.....

Time : 3 hours

Max Marks:80

PART -A

Answer any Six questions not exceeding 50 words each. Each question carries 2 marks

- 1)
- 2)
- 3)
- 4)
- 5)
- 6)
- 7)
- 8)

(6x2 =12 Marks)