THE PRESENT STATE OF TEACHING AND RESEARCH OF INTELLECTUAL PROPERTY LAW IN BANGLADESH

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Intellectual Property covers those legal rights which result from intellectual activity in industrial, scientific, literary and artistic fields. The main examples are industrial property (viz. patents, inventions, trademarks and industrial designs), copyright and neighbouring rights (chiefly in literary, musical and artistic works--in films, records broadcastes etc.). In Bangladesh, we have laws covering all these areas and there exist in Bangladesh well-established and fairly elaborate statutes and rules framed under them covering the fields of patents, trademarks and copryight. These laws and rules are based on common law system and were generally framed with a purely national context in mind and without substantial appreciation of the role on international exchange. It is felt that industrial development of the country will be considerably impeded unless the laws in these fields provide adequately for the protection of national rights relating to patents and designs, trademarks, copyright and other forms of industrial property. This means provisions for incentives to invest, and for acquisition of knowledge and facilities for research should be made in such laws.

Although in Bangladesh there are fairly elaborate laws covering the intellectual property matters, yet those were very little known in a developing country like ours. Only those lawyers and concerned officials dealing with these subjects were the people who carried on the day to day business without fully realising their impact either at the national level, or their influence on international interactions and transactions.

There is, as yet, no course offered by any of the universities or higher educational institutions in the country. The subject matters covered by the LL.B or the LL.M. courses conducted by the universities or any other higher technical institutions do not include any aspect of intellectual property. Nor is there any research work done in the field, except a very limited kind of research work was done in the past in the Department of Marketing under the Faculty of Commerce, University of Dhaka. This was confined to the writing of some articles on industrial property, such as, consumers protection and trademarks, marketing legislation, and imitation of manufactured goods as a marketing problem in Bangladesh and the like.

The awareness that there is a need to re-examine the existing laws and the mechanism for their enforcement, and more particularly, the awareness of the need for creating facilities for teaching and research in intellectual property is a recent phenomenon in Bangladesh.

WIPO organised jointly with the Ministry of Commerce of the Government of Bangladesh a "Seminar On the Role of Industrial Property in Technological and Economic Development" in March 1984. Similarly, in October, 1985, a "Seminar On Trademarks" was organized. In both these seminars our participation from the University of Dhaka led to the conclusion that there is an urgent need to establish courses on intellectual property in the universities and other similar institutions in the country.

On behalf of the Faculty of Law, Dhaka University, we discussed our willingness and intention to take a pioneering role in organising and offering courses on intellectual property law with WIPO officials while they were in Dhaka in 1985. They immediately responded to our requests to assist us in our efforts.

In July 1986, the Committee of Courses and Studies of the Department of Law, Dhaka University, approved, in principle, that a graduate course be opened as an optional full paper at the LL.M. level. And with this end in view, WIPO, as an activity of its Development and Cooperation Program for establishing and strengthening intellectual property systems in developing countries, sponsored a three-week study attachment for one of the teachers of the Law Departments (who is also attending this symposium) to some Universities in the United States of America on teaching of intellectual property in October-November, 1986. We also received some reading materials and other literatures from WIPO, which have greatly helped us in progressing with programme for opening the course.

In the Faculty of Law, Dhaka University, we have developed a course and syllabi on intellectual property laws, which basically cover the national laws, and also deal with the international aspect of the subject.

We had the idea to start with this course from July, 1987. But due to some unavoidable reasons we had to postpone it till the next year, that is, 1988. We are happy to note that the Department of Law, Dhaka University is now ready and prepared to offer the course and admit students from the next academic session (session 1988-1989).

We are hopeful that once this course is started next year in the Department of Law, and upon our succussful performance and conduct of the course, other universities and institutions in Bangladesh will also come forward with similar programmes for studies and research in the field of intellectual property.

In the end, we express our deep gratitude to WIPO for their active cooperation in our efforts in this direction and also for inviting us to attend this symposium, which we are sure, will widen our knowledge and experience and which in turn will help us in conducting the course on intellectual property in our country.

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