A SYLLABUS FOR INTEGRATED TEACHING OF INTELLECTUAL PROPERTY LAWS FOR UNDERGRADUATE STUDENTS IN THE CONTEXT OF TRIPS

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Introduction

Teaching intellectual property laws did not receive proper attention in the law schools of developing countries till recently because of various reasons. One of the reasons for this was the failure of these countries to create intellectual property worth protecting at the national and international level.[1] The absence of the pre-requisite for the creation of intellectual property such as availability of capital for investment in research and development, highly qualified technical hands, a competitive market with industrial activities etc., contributed to this.[2] The economic policies followed by many countries regulated the unrestricted flow of foreign intellectual property into the domestic market. Majority of these countries was dependent up on foreign technology through transfer of technology agreements. The intellectual property laws were also tailored to suit the domestic needs since there was no international mandate to make it in tune with the then existing international conventions for the protection of intellectual property. This resulted in very little litigation in this field. The outcome was the lack of demand for teaching intellectual property laws in the law schools when compared to other commercial law subjects.

The new trends in international trade ushered in by the WTO and the TRIPS Agreement demand for a serious rethinking on teaching intellectual property laws. Along with this is the fast change in the economic and industrial policies—liberalization and globalization—taking place in these countries. The new economic policies, it is assumed, will facilitate the free movement of capital, technology and goods based on new technology across the borders to promote international trade.[3] This is expected to bring in new technology for the industrial and economic development of the countries.[4] It is also expected that there is going to be more investment on the research and development

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1 See WIPO statistics on Patent, Trademark, Design etc., http://www.wipo.int/ipstats/en/overview.htm

2 See Assafa Endeshaw, *Intellectual Property Policy for Non-Industrial Countries,* (Dartmouth, Hants, England, 1996).

3 See Dean Baker et.al (ed.), *Globalization and Progressive Economic Policy,* (Cambridge University Press, United Kingdom, 1998).

4 See Thomas Cottier et.al. (ed.), *Strategic Issues of Industrial Property Management in a Globalized Economy,* AIPPI Forum Series, (Hart, Oxford, 1999).

by the local industries to face international competition. This demands the developing countries to afford better protection for the intellectual property.

It is needless to state that intellectual property laws have been used from the very inception as one of the important tools for the economic and industrial development of the nations.[5] Different strategies were followed by nations for this purpose at different stages of their economic development. In the early stages when there were no international conventions, i.e., before the Berne and Paris Conventions, the policy followed by different countries was to promote domestic industrial and economic development without any respect for foreign intellectual property protection.[6] After Berne and Paris, the flexibility available in these conventions was used by the nations to structure their industrial and economic policies to promote domestic growth.[7] Some of the nations remained out of the conventions and promoted their domestic industrial growth with scant attention to the protection of foreign intellectual property. Some others joined these conventions but refused to fully respect the international standards while promoting the growth of domestic industries and entered into international trade. The absence of enforcement mechanism in these conventions facilitated this process. The post TRIPS period substantially closes these options for the nations and calls for a change in their policies for industrial and economic growth with full respect to intellectual property created in any part of the globe if interested in international trade.[8] In this context there is a need to find out the options available for using intellectual property laws based on TRIPS as an instrument for economic and industrial growth in the post TRIPS era.

TRIPS Agreement is the first successful attempt to consolidate and unify international norms for the effective protection of intellectual property.[9] While integrating the existing international obligations under the Berne Convention for the protection of literary and artistic works and the Paris Convention for the protection of industrial property it introduced fresh standards and new categories for international protection.[10] Thus apart from the traditional categories of copyright, patents, industrial

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5 See Hulme, "The History of the Patent System Under the Prerogative and at Common Law," 12 LQR 141, (1896).

6 See Sam Riketson, *The Berne Convention for the Protection of Literary and Artistic Works: 1886-1986* (Kluwer, London).

7 See E.T. Penrose, *The Economics of the International Patent System,* (1951).

8 Paul A David, "Intellectual Property Institutions and the Panda's Thumb: Patents, Copyrights, and Trade Secrets in Economic Theory and History," in *Global Dimensions of Intellectual Property Rights in Science and Technology*, (National Academy of Sciences, Washington DC, 1993).

9 For details see Terence P. Stewart (ed.), *The GATT Uruguay Round – A Negotiating History (1986-1994) Vol. IV: The End Game (Part I)* (Kluwer Law, 1999).

10 For a brief analysis of TRIPS see Michael Blankeney, *Trade Related Aspects of Intellectual Property Rights: A Concise Guide to the TRIPs Agreement*, (Sweet & Maxwell, London, 1996);

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designs and trademarks new items like geographical indications, layout-designs and undisclosed information also found place for international protection. For the first time the term 'intellectual property' has been used to represent under one-umbrella different forms of protection afforded to varied items of intangible forms of property used for the industrial and economic growth of an economy based on diverse philosophical and theoretical foundations.

The TRIPS Agreement has identified the broad objectives and principles for the protection and enforcement of intellectual property rights by the nations. This is clear from the Preamble and Part I of the TRIPS Agreement. It is now well recognized that intellectual property rights are private rights. It is also accepted that the protection and enforcement of intellectual property rights should contribute to the promotion of technological innovation and transfer and dissemination of technology. This must be for the mutual benefit of the creators and users of new technology and in a manner conducive to the social and economic welfare of the society balancing the rights and obligations.[11] There is also a specific mention that the countries are free to adopt measures while implementing the TRIPS obligations to protect public health and nutrition. They are also entitled to take steps to promote the public interest in sectors of vital importance to their socio-economic and technological development. But it is made clear that these measures must be consistent with the provisions of the Agreement.[12]

A perusal of the provisions of the TRIPS Agreement makes it clear that the obligations include protection of new items of intellectual property like computer programme, products of biotechnology, integrated circuits etc. Standards are also laid down for identifying the items to be protected and exclusion of specific items from protection. New rights like commercial rental, importation etc., and minimum period of protection is also stipulated. Stringent conditions are laid down regarding the imposition of limitations and exceptions on the enjoyment of the rights particularly on copyright and patent.[13] Basic principles regarding the enforcement of the rights using civil, criminal and administrative measures are also included.[14] There are also norms for the control of

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J.H. Reichman, "Universal Minimum Standards of Intellectual Property Protection under the TRIPs Component of the WTO Agreement," in Carlose M. Correa *op.cit.* p.21.

[11] See Article 7 of the TRIPS Agreement.

[12] See Article 8 of the TRIPS Agreement and A.A. Yusuf, "TRIPS: Background, Principles and General Provisions," in Carlose M. Correa et.al. (ed.), *Intellectual Property and International Trade: The TRIPS Agreement,* (Kluwer Law, London, 1998), pp. 3-18.

[13] See *Options for Implementing the TRIPS Agreement in Developing Countries,* Report of an Expert Group on the TRIPS Agreement and Developing countries (Third World Network).

[14] See Thomas Dreier, "TRIPS and the Enforcement of Intellectual Property Rights," Friedrick-Karl, *IIC Studies: From GATT to TRIPS,* (Vol.18, Max Planck Institute, Munich, VCH publishers Inc., New York, USA, 1996).

anti-competitive practices in intellectual property contractual licences.[15] These norms are in tune with the intellectual property laws of the majority of the developed nations who are the custodians of the new technology for global trade. Substantial number of less developed nations laws is to be changed to satisfy these obligations. All these norms are equally binding on all member countries and there are no special concessions given to the less developed countries on these obligations. They are given only transitional period—differential time frames—for the implementation of these obligations. Thus it appears while the obligation of the less developed countries to strengthen and protect the rights of the owners of intellectual property has been tightened, the flexibility to introduce obligations on the part of the owners of intellectual property to achieve social and economic welfare of the country seems reduced. The attempts by the countries to interpret the obligations to suit their social and economic needs lead to disputes before the WTO Dispute Settlement Body and domestic courts. The disputes against India, Canada, Brazil etc., are indications in this regard.[16] The challenge by the pharmaceutical corporations on the law introduced by South Africa to make available AIDS drugs at an affordable cost is also another example.[17] This calls for a critical study of the provisions of the TRIPS Agreement to find out whether it is possible for a less developed nation to achieve economic and industrial growth while implementing these obligations.[18]

A critical look at the developmental model reflected in the TRIPS and its feasibility to solve the domestic problems in the changed international context also warrants attention. The nations have to find out the merits and demerits of the policy choices adopted in the TRIPS and re-negotiate the same when periodical review of this agreement takes place. The nations also have to find out appropriate policy choices when new treaties are to be negotiated in the new areas.

Instead of private property jurisprudence followed in the protection of intellectual property[19] collective ownership and use have been brought in for some cases like protection of geographical indication in the TRIPS.[20] It is to be noted that there are

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[15] See Pedro Roffe, "Control of Anti Competitive Practices in Contractual Licences Under TRIPS Agreement," in Carlose M.Correa, *op.cit.*, p.261.

[16] See www.wto.org/english/tratop_e/dispu_e/distab_e.htm

[17] See Latha Jishnu and Hari, "Bridging the Drug Divide, *Business World,* June 2001., pp. 34-42 and www.tac.org.za

[18] Carlose M. Correa, *Implementing the TRIPS Agreement: General Context and Implications for Developing Countries* (Third World Network).

[19] See for an analysis of the philosophy of intellectual property Peter Darhos, *A Philosophy of Intellectual Property* (Dartmouth, Hants, England, 1996); Hughes, J, "The Philosophy of Intellectual Property," *77 The George Town Law Journal,* 285 (1988); Lehmann, "The Theory of Property Rights and the Protection of Intellectual and Industrial Property," 16 IIC 525, (1985).

[20] See protection of geographical indications under Articles 22-24. The Geographical Indications of Goods (Registration and Protection) Act, 1999 of India recognizes the right of collective use and

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serious discussions going on for the intellectual property protection of non-original databases based on substantial investment,[21] protection of folklore, traditional knowledge etc.[22] The concerns seem to be the need for protection of the investment and the prevention of market failures in the context of technological developments. This presupposes the need to develop alternatives to private property jurisprudence to protect the intellectual property in these cases taking care of the individual/group interest and larger social concerns in terms of development of science and technology for social purpose.

There is also an attempt to unify the procedural law necessary for the registration of patent, trademark, industrial design etc.[23] One of the major problems at the international level is the acquisition of intellectual property rights in various jurisdictions, maintain and protect it from unauthorized use. An intellectual property lawyer today requires various skills to effectively handle these questions. Special skills are required to prepare documents necessary for the registration of intellectual property with appropriate administrative authorities both at the national and international institutions. For this a good understanding of science and technology is absolutely necessary particularly in the context of the new digital and biotechnology. In the post TRIPS context nations require legally competent scientists or scientifically qualified lawyers to undertake this task. These unprecedented developments calls for an integrated approach to the teaching of intellectual property in the law schools to address both policy questions as well as practical issues.

Law schools in the developing countries particularly in India have never taken intellectual property teaching seriously. Only very few law schools in India teach intellectual property as a compulsory course at the under graduate level. The approach followed in many cases is to acquaint the students with the provisions of law. The laws relating to intellectual property are taught independently rather than to look at it in an integrated manner from the developmental perspective. Even though law schools are traditionally treated as centers for imparting various legal skills necessary to solve the problems in the law courts, this was not followed in the case of intellectual property teaching. In the changed context there is an urgent need to change this approach. The law schools need to structure different courses if they wanted to teach intellectual

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prohibit any transfer of this right to use. See sections 21 and 24 bringing in the jurisprudence of collective management of property rather than private ownership.

21 See www.wipo.int/eng/meetings/1998/sccr-98/sccrl-i2.htm

22 See www.wipo.int/traditionalknowledge; www.wipo.int/eng/meetings/2001/igc/index.htm

23 See the Patent Cooperation Treaty, the Madrid Agreement Concerning the International Registration of Marks, the Hague Agreement concerning the International Deposit of Industrial Designs, the Trademark Law Treaty, etc.

property meaningfully. There must be a compulsory course at the undergraduate level developing a perspective of the relationship of intellectual property protection and economic development of the nation in the new international context. This needs an approach from a multi disciplinary angle utilizing the expertise in the field of economics and political science. This can be supplemented with specialized seminar courses for selected students to address in detail the policy issues and jurisprudential questions.

The following course is designed to teach the subject at the undergraduate level in an integrated way so as to enable the students to understand the socio-economic and political implications of recognizing and protecting intellectual property in the context of TRIPS Agreement. This course dealing with all the laws relating to intellectual property will be focusing on conscientising students to look at the subject from the developing nation's perspective keeping in mind the international demands. The course would therefore have the following objectives:

1. Identifying the philosophical underpinnings and search for the socio-economic and geopolitical factors that contribute to the formation of theoretical foundations.
2. Inquiring to what extent the intellectual property regime as laid down in the TRIPS Agreement will help in the development of socio-economic-cultural growth of a nation.
3. Examining how far the national intellectual property laws cater to the needs and development of economic and cultural growth of the nation in the context of the obligations under TRIPS.
4. To identify the nature and extent of protection afforded to the owners of intellectual property.
5. Examining to what extent the national legal system of intellectual property is answering to the new international demands.
6. Inquiring into the need for developing a jurisprudence of intellectual property protection from the developing countries perspective.

It is proposed to adopt the discussion cum case method of teaching.

Course content

I. Concept of property vis-à-vis Intellectual Property

a. Concept of property - a jurisprudential analysis
b. Theories of property - an overview
c. Importance of institution of property in the national (Indian) context
d. Concept of property in national (Indian) Constitution and place of intellectual property
e. Social and economic development and the role of intellectual property system
f. Need for protecting intellectual property - policy consideration - national perspectives and international demands (6-8 hours)

II. Origin and Development of Intellectual Property

a. Copyright - From Statute of Anne, 1710 to TRIPS Agreement
b. Patent and Design - From Statute of Monopolies 1624 to TRIPS Agreement
c. Trade Marks - From Common Law Cases to TRIPS Agreement
d. New forms - Geographical Indications, Plant Varieties etc.
e. Social, economic and political dimensions in the development of the concept of intellectual property (6 hours)

III. Nature and Content of Intellectual Property

a. Items covered under copyright - concept of originality - literary, dramatic and musical, artistic work, cinematograph films, sound records - provisions of TRIPS Agreement - impact on national (Indian) industrial development (6 hours)

b. Items covered under Patents:
Meaning of Patent - Inventions - Concept of Novelty, Inventive step and Utility - Inventions not patentable - Process and Product Patents - TRIPS Agreement (Article 27) - Implications to national (Indian) Patent System (6-8 hours)

c. Items covered under Industrial Designs:
Definition of Design - Concept of Novelty or Originality - Items not protected under Design - Functional Designs – TRIPS Agreement – Implications (4 hours)

d. Items covered under Trademark:
Definition of Trademark - Goods - Marks - Certification Marks - Service Marks - Property marks – Well Known Marks, Domain name protection, Concept of Deceptive Similarity - Prohibition of Marks for registration - TRIPS Agreement - Impact (6 hours)

e. New forms of intellectual property - Plant varieties, Layout-Design protection, Geographical Indications, undisclosed information, etc. (4 hours)

f. Changing concept of intellectual property - the Legislative and Judicial Trends (India) (2 hours)

IV. Intellectual Property Rights – Legal Protection (Procedure)

a. Copyright:
Copyright a statutory right - registration mandatory or not - procedure followed, benefits (2 hours)

b. Patents:
Statutory rights - who can apply - Examination - Opposition - Anticipation - Grant and Sealing - Priority date, Patents of addition - Amendments - Benefits. PCT - Procedure (4 hours)

c. Industrial Designs:
Statutory right - requirements - Proprietor - Procedure - Separate Registration - Effect - Hague Agreement on Design (2 hours)

d. Trademark:
Statutory and Common Law - Conditions for Registration - Concept of "Distinctiveness" - Associated trade mark - Application - Advertisement - Opposition - Registration - Effect - Madrid Agreement on marks – 1989 Protocol -Registration of Domain name (4 hours)

e. Concept of Infringement in copyright, Parent design and trademark - permitted use - Civil and Criminal remedies - burden of proof - Anton Pillar order and its applicability - Appeals - TRIPS Agreement - Implications (8 hours)

V. Exercise of ownership rights and limitations

a. Copyright:
Rights recognized – Author's Special Rights - Term of protection - Authorship and Ownership - Co-Author - Assignment - Relinquishment of right - Fair use - License - Compulsory License - Statutory License - Copyright Society - Rights of Broadcasting Authority - Performer's Right - TRIPS obligations (8 hours)

b. Patents:
Rights recognized - Term - Ownership - Assignment - Surrender - License - Revocation - Compulsory License - License of Right - Acquisition by Government - TRIPS Agreement – Implications (6 hours)

c. Industrial Designs:
Design copyright - Term - Restoration - Ownership - Assignment - Revocation (2 hours)

d. Trade Mark:
Right to exclusive use - Term and Restoration - Ownership - Honest and Concurrent use - Assignment - Registered user - Removal for non-use, Textile Goods (4 hours)

VI. Role of Enforcement Authorities

Copyright board, Registrar and power and functions - Controller General of Patents, Design, Trademark - Power and Function – Tribunals – TRIPS Agreement (2 hours)

VII. Role of International Institutions

Role of WTO, WIPO. Dispute settlement – new treaties (3 hours)

VIII. Towards an alternate Intellectual Property jurisprudence

- Diminishing nature of the 'public interest' in the present IP protection.
- Impact of privatization of knowledge in generation of new kinds of knowledge.
- Impact of present IP system on indigenous and traditional knowledge systems.
- The myth of protection of "intellectual labour."
- New jurisprudence of IP protection for development of appropriate technology for sustainable development (2 hours)

Reading materials

1. International Convention and Treaties

a. The TRIPS Agreement (1994)
b. The Berne Convention (1971)
c. The Paris Convention (1967)
d. The Rome Convention (1961)
e. The Treaty on Intellectual Property in Respect of Integrated Circuits (1989)
f. The Patent Cooperation Treaty (1970)
g. The Madrid Agreement (1967) and Protocol (1989)
h. The Hague Agreement (1960)

2. National legislation (India)

a. The Copyright Act, 1957
b. The Patent Act, 1970
c. The Trademark Act, 1999
d. The Design Act, 2000
e. The Semiconductor Integrated Circuits Layout-Design Act, 2000
f. The Geographical Indication of Goods (Registration and Protection) Act, 1999

3. Important Cases (India)

a. Copyright

i. *Macmillian Co.* v. *K and J Cooper,* AIR 1924 PC 75.
ii. *Agarwala Publishing House* v. *BHS & I Education U.P,* AIR 1967 All. 91.
iii. *R.G Anand* v. *Deluxe Films,* AIR 1978 SC 1613.
iv. *John Richard* v. *Chemical Process,* AIR 1987 Del. 372.
v. *IPRS* v. *Eastern India Motion Pictures Asso.,* AIR 1977 SC 1443.
vi. *Muppala Ranganayakamma* v. *Smt. Ramalakshmi,* 1986 Cri. L. J. 522.
vii. *Cherian P. Joseph* v. *K. Prabhakaran Nair,* AIR 1967 Ker. 234.
viii. *Ganapati Prasada Rao* v. *Paranandi Saroja,* 1992 Cri. L.J 2561.
ix. *Govindan* v. *Gopalakrishnan,* AIR 1955 Mad. 391.
x. *V.T. Thomas* v. *Malayala Manorama,* AIR 1988 Ker. 291 and AIR 1989 Ker. 49.
xi. *Manu Bhandari* v. *Kala Vikas Pictures,* AIR 1987 Del. 13.
xii. *Garware plastic* v. *Telelink,* AIR 1989 Bom. 331.
xiii. *Sheo Ratan Upadhya* v. *Gopal Chandra Nepali,* AIR 1965 All.274.
xiv. *Raj Video Vision* v. *K. Mohana Krishnan,* AIR 1998 Mad. 294.
xv. *Video Master* v. *Nishi Production,* 1998 IPLR 388.
xvi. *Gramophone Co.* v. *Shanti Films,* AIR 1997 Cal. 63.
xvii. *Burlington Home Shopping* v. *Tajnish Chibber,* 1996 PTR 69.
xviii. *Gramophone Co.* v. *Super Cassette,* 1995 PTR 64.
xix. *Indian Express* v. *Jaga Mohan,* AIR 1985 Bom. 229.
xx. *Najma Heptulla* v. *Orient Longman,* AIR 1989 Del. 63.
xxi. *State of A.P.* v. *Nagoti Venkataramana,* 1997 IPLR 123 (SC).
xxii. *Maganlal Savani* v. *Rupam Pict.,* 2000 PTC 556.
xxiii. *Gramophone Co.* v. *Mars Recording,* 2000 PTC 117 (Kar.).

b. Patent

i. *Bishwanath Prasad Radhey Shyam* v. *M/s Hindustan Metal Industries,* AIR 1982 SC 1444.
ii. *Press Metal Corp.* v. *Noshir Sorabji,* AIR 1983 Bom. 144.
iii. *F.H. and Burning Corp. Unichem Lab.,* AIR 1969 Bom. 255.
iv. *Lallubhai Chakbhai Jariwala* v. *Chimnlal Chunilal Co.* AIR 1936 Bom. 99.
v. *Monsanto Co.* v. *Coramandal Products,* AIR 1986 SC 712.
vi. *Ajay Industrial Cor.* v. *Shiro Kanao,* AIR 1983 Del. 496.
vii. *Imperial Chemicals* v. *Controller,* AIR 1978 Cal. 77.

viii. *International Control Automation Fin.* v. *Controller,* 1994 IPLR 176 (Cal.).
ix. *Godrej Soap and P&G* v. *Hindustan Lever,* 1994 IPLR 60 (Cal.).

c. Design

i. *Gammeter* v. *Controller of Patents and Design,* AIR 1919 Cal. 887.
ii. *Western Engineering* v. *Paul Engineering,* AIR 1968 Cal 109.
iii. *Pilot Pen Co.* v. *The Gujarat Industries,* AIR 1967 Mad. 215.
iv. *Metro Plastic Industries* v. *M/s. Galaxy Foot Ware,* 2000 PTC 1 (Del.).
v. *Escort Construction Equipments* v. *Action Construction,* AIR 1999 Del. 73
vi. *M/s. Smithkline Beechem* v. *M/s Hindustan Livers,* 2000 PTC 83.
vii. *Samsonite Corporation* v. *Vijay Sales,* 1998 PTC 18 (Del.).

d. Trademark

i. *Amrithdhara pharmacy* v. *Satya Gupta,* AIR 1963 SC 449.
ii. *London Rubber Co.* v. *Durex Products Inc.* AIR 1963 SC 1882.
iii. *Chinn Krishna* v. *Sri Ambal Co.,* AIR 1970 SC 146.
iv. *Vishwa Mitter* v. *O.P. Poddar,* AIR 1984 SC 5.
v. *Daimler Benz* v. *Hybo Hindustan,* 1994 IPLR 224(Del.).
vi. *Power Control Appliances* v. *Sumeet Machines,* 1994 IPLR 117 (SC).
vii. *Cycle Corporation of India* v. *T.I. Raleigh Ind.,* AIR 1996 SC 3295.
viii. *Vishnudas Trading* v. *Vazir Sultan Tobacco Co.,* AIR 1996 SC 2275.
ix. *Parle Products* v. *J.P. and Co.,* AIR 1972 SC 1359.
x. *Whirlpool Corporation* v. *N.R. Dongre,* 1995 PTR 21.
xi. *N.R. Dongre* v. *Whirlpool Corporation,* (1996)5 SCC 714
xii. *Whirlpool Corporation* v. *Registrar of Trademark,* 1998 PTR 110 (SC).
xiii. *S.M. Dyechem* v. *Cadbury,* 2000 PTC 502 (SC).
xiv. *Yahoo! Inc.* v. *Akash Arora,* 1999 IPLR 196 (Del.).
xv. *Rediff Communication* v. *Cyberbooth,* AIR 2000 Bom. 27.
xvi. *Online India Capital* v. *Dimensions Corp.,* 2000 PTC 396 (Del.).

4. Important Committee Reports (India)

a. Dr. Bakshi Tek Chand Report of the Patent Enquiry Committee 1948-1950, Government of India.
b. Justice Rajagopal Ayyangar Report on the Revision of the Patent Law, 1959, Government of India.

5. Important Articles (Indian)

a. Upendra Baxi, "Copyright Law and Justice in India," 28 *Journal of Indian Law Institute*, 492 (1986).
b. K. Ponnuswami, "Performing Right of Intellectual Worker: Judicial Annihilation," 28 *Journal of Indian Law Institute,* 470 (1986).
c. K. Ponnuswami, "Intellectual Property Law," *Annual Survey of Indian Laws*, 1985 – 1994.
d. N.S. Gopalakrishnan, "Intellectual Property Law," *Annual Survey of Indian Laws*, 1995 –2000.
e. Rajeev Dhavan *et. al.*, "Whose Interest? Independent India's Patent Law and Policy," 32 *Journal of Indian Law Institute*, 429 (1990).
f. Deepak Nayyar, "Intellectual Property Rights and LCD's: Some Strategic Issues," 27 *Economic and Political Weekly*, 271 (1992).
g. Biswajit Dhar, Niranjan Rao, "Dunkel Draft on TRIPS: Complete Denial of Developing Countries Interest," 27 *Economic and Political Weekly*, 275 (1992).
h. Rajeev Dhavan *et. al.*, "Power without Responsibility: On Aspects of the Indian Patents Legislation," 33 *Journal of Indian Law Institute*, 1 (1991).
i. Rajeev Dhavan *et. al.*, "Paris Convention Revisited" 32 *Journal of Indian Law Institute,* (1990).
j. N.S. Gopalakrishnan, "WIPO Copyright and Performance and Phonogram Treaties – Implications for India," XXI Academy Law Review 1 (1997).

6. Books

a. WIPO, *Reading Materials on Intellectual Property*.
b. W.R.Cornish, *Intellectual Property*, Sweet & Maxwell, London (2000).
c. R.G. Chaturvedi *et. al.*, *Iyengar (T.R. Srinivasa) on Copyright*, Butterworths, New Delhi (2000).