

<b>COURSE TITLE</b>	<b>LAW OF TRADE SECRET AND TECHNOLOGY TRANSFER</b>
<b>COURSE CODE</b>	<b>10IP01002</b>
<b>COURSE CREDITS</b>	<b>4</b>

**Objective:**

- 1 To Familiarize with the basic terminologies, principles and nature of Trade Secrets and Technology Transfer
- 2 To develop and provide the conceptual understanding of Trade Secrets and Technology Transfer
- 3 To understand the legal framework and legal issues of Trade Secrets and Technology Transfer;
- 4 To Explain the significance of trade secrets and technology transfer in innovation and business competitiveness
- 5 To discuss the interface between Intellectual Property law and Competition law.

**Course Outcomes:** After completion of this course, student will be able to:

- 1 Demonstrate knowledge of Trade Secrets and Technology Transfer regulations in India and their application in protecting intellectual property related to design.
- 2 Explain and interpret the protection criteria and exceptions under Indian legal frameworks, demonstrating comprehension of their implications
- 3 Demonstrate the understanding of practical and procedural aspects of Trade Secrets and Technology Transfer in India.
- 4 Apply legal concepts of Trade Secrets and Technology Transfer and suggest strategies for its protection through various modes available.
- 5 Explain and evaluate the conjunction and disjunction between Intellectual Property law and competition law.

**Pre-requisite of course:** Basic Knowledge of Intellectual Property Laws

**Teaching and Examination Scheme**

<b>Theory Hours</b>	<b>Tutorial Hours</b>	<b>Practical Hours</b>	<b>ESE</b>	<b>IA</b>	<b>CSE</b>	<b>Viva</b>	<b>Term Work</b>
3	1	0	50	30	20	0	0

<b>Contents : Unit</b>	<b>Topics</b>	<b>Contact Hours</b>
1	<b>Introduction</b> Trade Secrets: Concept and origin, History of Trade Secrets, Theory of Protection and Conflict with Patent Law;, Subject matter of Trade Secret;, Trade Secret Characteristics;, Difference between Trade Secret and Confidential Information, Trade Secret vis-à-vis Trade Knowledge, Data Exclusivity and Trade Secrets, Trade Secrets and Intellectual Property: The Patent-Trade Secret Interface, Protection of Trade Secret in India, National Innovation Bill 2008, The Protection of Trade Secrets Bill,2024 (By Law Commission)	15
2	<b>Protective measures&amp; Key Business Concerns in Commercializing IP</b> National protection to Trade secrets, Protection under TRIPS Agreement, What Causes a Business to Lose Trade Secret Protection, Competition and Confidentiality Issues, Care & Maintenance of Confidential Information, Employee Confidentiality, Intellectual Property Issues in the Sale of Business, Assignment of Intellectual Property Rights, Legal Auditing of Intellectual Property Rights, Due Diligence of Intellectual Property Rights, Violation of trade secrets and remedies	10
3	<b>IP management and Technology Transfer</b> Technology transfer- Definition and Concepts, different ways, Interconnection between IP management and technology transfer, Technology Transfer Agreements and other legal procedures	10
4	<b>Interface between competition law and IPR</b> Overview of Competition Law principles, Intersection of IPR and Competition Law: An Overview, Analysis of cases and precedents highlighting conflicts between IPR and Competition Law, Remedies and solutions for reconciling conflicts between IPR and Competition Law.)	10
<b>Total Hours</b>		<b>45</b>

#### Suggested List of Experiments:

<b>Contents : Unit</b>	<b>Topics</b>	<b>Contact Hours</b>
1	<b>Issues related to Trade Secrets and Technology Transfer</b> Issues related to Trade Secrets and Technology Transfer	15
<b>Total Hours</b>		<b>15</b>

#### Textbook :

- 1 Intellectual Property Law, P. Narayanan, Eastern Law House, 2020

#### References:

- 1 Trademarks, Trademarks, Beebe, Barton, Aspen Publishers, 2011

#### Suggested Theory Distribution:

The suggested theory distribution as per Bloom's taxonomy is as follows. This distribution serves as guidelines for teachers and students to achieve effective teaching-learning process

Distribution of Theory for course delivery

<b>Remember / Knowledge</b>	<b>Understand</b>	<b>Apply</b>	<b>Analyze</b>	<b>Evaluate</b>	<b>Higher order Thinking / Creative</b>
10.00	10.00	30.00	10.00	20.00	20.00