

COURSE TITLE	LAW RELATED TO BIODIVERSITY PROTECTION, PLANT VARIETIES AND FARMER'S RIGHT
COURSE CODE	10IP0901
COURSE CREDITS	4

Objective:

- 1 Understand the meaning of legal terminologies related to Traditional Knowledge, Biodiversity Protection, Plant Varieties and Farmers Right
- 2 Study and appreciate the legal framework governing the protection of Biodiversity, plant varieties and traditional knowledge within the context of intellectual property law, including relevant domestic legislation, international treaties, and case law.
- 3 Develop a comprehensive understanding of the rights, obligations, and protections afforded to breeders, farmers, indigenous communities, and other stakeholders
- 4 Understand the role, powers and functions of various state actors in preserving the Traditional Knowledge, Biodiversity Protection, Plant Varieties and Farmers Right.

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

- 1 To attain a comprehensive understanding of the legal frameworks governing the protection of Traditional Knowledge, Biodiversity and Plant Varieties and Farmers Right
- 2 To evaluate through comparison between various international and national legal instruments related to Traditional Knowledge, Biodiversity Protection, Plant Varieties and Farmers Right
- 3 To examine the role of state actors and evaluate their efficiency in the areas of enforcement of rights of various stakeholders

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

Teaching and Examination Scheme

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

Contents : Unit	Topics	Contact Hours
1	Introduction to Traditional Knowledge Meaning and Scope of traditional Knowledge, Significance of Preservation, protection and Promotion of the Traditional Knowledge (Positive and defensive), International instruments on Traditional Knowledge (Berne Convention; International Labour Organization convention on Indigenous and Tribal Peoples; United Nation's Convention on Biological Diversity and Nagoya Protocol; United Nations Declaration on the Rights of Indigenous Peoples)	8

Contents : Unit	Topics	Contact Hours
2	Recognition and Documentation of Traditional Knowledge Protection of Traditional Knowledge in India (Indian Patents Act, 1970; Protection of Plant Varieties and Farmers' Right Act, 2001; Geographical Indications Act, 1999; Trade Marks Act, 1999; Biodiversity Act, 2002; Scheduled Tribes and other forest dwellers Act, 2006), Recognition and Documentation of Traditional Knowledge [Databases: Traditional Knowledge Digital Library (Also Known as TKDL)], AYUSH Systems of Medicines, Biodiversity Register	8
3	Biodiversity Protection □ International Perspective International Legal Regime [United Nation's Convention on Biological Diversity; The Cartagena Protocol; Nagoya Protocol on Access to Genetic Resources and Benefit Sharing; High Seas Treaty], Comparison between Biological Diversity Act and Nagoya Protocol, Biopiracy and legality of compliance for biotech research	5
4	Biodiversity Protection in India The Biological diversity Act, 2002, Meaning of Biological Diversity, Access and Benefit sharing Regulation Guidelines 2014, Approval of authority under Act, Prior intimation to State Biodiversity Board, State & National Biodiversity Board, Transfer of Biological resource, Emphasis on Section 6 of the Act (Equitable Benefit sharing), National Strategies; Heritage sites, Role of Central Government , Biodiversity Management Committee, Offences & Penalties	10
5	Plant Varieties Protection Protection of Plant Varieties and Farmer's rights, Objectives of Plant Varieties Act, Definitions (Plant Variety-Extant Variety, Farmers' Variety Essentially Derived Variety), Advantage of Plant Varieties Protection System, National Gene Fund and Benefit Sharing (Access and Benefit Sharing Regulation), Plant variety Authority (Establishment, Powers & functions), Appointment of Committees, Plant Variety Registry and National Register, Registration (Application, Criteria, Non-registrable varieties and Grounds of Opposition) & its effect., Farmer's Right, Rights of Breeder, Duration, Infringement; Offences; Remedies	14
Total Hours		45

Suggested List of Experiments:

Contents : Unit	Topics	Contact Hours
1	ISSUES RELEVANT TO LAW RELATED TO BIODIVERSITY PROTECTION, PLANT VARIETIES AND FARMER'S RIGHT ISSUES RELEVANT TO LAW RELATED TO BIODIVERSITY PROTECTION, PLANT VARIETIES AND FARMER'S RIGHT	15
Total Hours		15

Textbook :

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

References:

- 1 Traditional Cultural Expressions and Intellectual Property Law in the Asia Pacific Region, Traditional Cultural Expressions and Intellectual Property Law in the Asia Pacific Region, Christoph Antons, Kluwer Max Planck Series, 2009

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