



# **B.A. LL.B. (5 YEAR) COURSE**

**SYLLABUS AT A GLANCE**

## **Semester - IX**

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Insurance Law 04 100

Intellectual Property Law 04 100

Public International Law 04 100

Alternative Dispute Resolution 04 100

**SEMESTER -IX**  
**INSURANCE LAW**

**OBJECTIVE OF THE COURSE:** There are risks at every walk of life. Sometimes it is difficult to pay up and more difficult to receive payment. Insurance is a good method of overcome the difficulties relating to risk. This law introduces the students to the intricacies of Insurance.

Marks – 100 (Written – 80 + Project – 20)

Credit : 04

**MODULE – I:** Introduction [ History, Nature]- definition- Concept of Insurance compared with contract and Tort- Insurance in globalised economy.

**MODULE – II:** General principles of Law of Insurance – nature, scope and classification of Insurance contracts-Insurable interest- the risk – policy [ form, content, commencement, duration, alternation, cancellation, rectification, renewal, assignment, construction]- conditions of policy.

**MODULE – III:** Life Insurance [nature, scope, definition, classification], formation of life insurance contract- event insured against life insurance contract – Circumstances affecting the risk- amount recoverable under life policy- persons entitled to payment- settlement of claim.

**MODULE – IV:** The Insurance Act, 1938, [Section 1-64], IRDA Act, 1999

**MODULE – V:** The General Insurance Business [Nationalisation] Act, 1972. [Section 1-15]

**MODULE – VI:** The General Insurance Business [Nationalisation] Act, 1972. [Section 1-15]

**\*\*\*\*\* Students are expected to read current case laws. Only the current enactments and enactments as a amended up to date will be taught.**

**RECOMMENDED READINGS :**

**\*\*\*\*\*** Only current editions are to be read.

1. SINGH, BRIDE ANAND, NEW INSURANCE LAW, UNION BOOK PUBLISHERS, ALLAHABAD.
2. IVAMY, CASE BOOK ON INSURANCE LAW, BUTTERWORTHS
3. IVAMY, GENERAL PRICIPLES OF INSURANCE LAWS, BUTTERWORTHS.
4. JOHN BIRDS, MODERN INSURANE LAW, SWEET & MAXWELL
5. M.N. SRINIVASAN, PRINCIPLES OF INSURANCE LAW, RAMANIYA PUBLISHERS

## **INTELLECTUAL PROPERTY LAW**

**OBJECTIVE OF THE COURSE:** Creativity is a natural virtue of human being that must be protected and preserved and for which the credit should always go to the creator. The realm of intellectual property ensures that this happens.

Marks – 100 (Written – 80 + Project – 20)

Credit : 04

### **i. GENERAL PRINCIPLES**

1. Introduction – Nature, Character and Classification of Intellectual Properties.
2. Leading international instruments introducing principles concerning the intellectual property rights- The Paris Union, The Berne Convention, Universal copyright Convention, The Madrid Agreement on the Registration of Markd, GATT, The UPOV Conventions, TRIPS, TRIMS, WTO,
3. WIPO, UNESCO

### **ii. PATENT**

Concept of Patent – Process for obtaining Patent- Rights and obligations of a Patentee – Transfer of Patent Rights- Power, Functions and Jurisdiction of the Controller of Patent – Infringement of Patent Rights and Remedies.

### **iii. TRADE MARK**

Concept of Trade Mark; Registration of Marks; Doctrine of Honest and Concurrent users; Doctrine of Deceptive Similarity; Powers, Functions and Jurisdiction of the Registrar of Trade Mark; Infringement and Remedies.

### **iv. COPY RIGHT AND RELATED RIGHTD**

1. Concept of Copyright; Ownership of Copyrights; Assignment of Copyrights; Powers and Functions of the Registrar of Copyrights; Copyright Board; Infringement and Remedies.

### **v. THE INFORMATION TECHNOLOGY ACT, 2000**

1. Definitions.
2. Digital Signature: Object and Definite Clause of Access affixing digital signature.
3. Legal recognition: Use of electronic records; Retention and Publication; Attribution; Acknowledgement and Despatch.
4. Controller: Appointment; Powers and Functions; Penalty and Adjudication.
5. Cyber Appellate Tribual: Composition, Powers, procedures and jurisdiction of offences.
6. Cyber Regulations Advisory Committee.

**\*\*\*\*\* Students are expected to read current case laws. Only the current enactments and enactments as amended up to date will be taught.**

**RECOMMENDED READINGS :**

\*\*\*\*\* Only current editions are to be read.

1. William Cornish, Intellectual Property, Eastern Book Company.
2. Scott Beattie & Elizabeth Beal, Intellectual Property & Media Law, Oxford University Press.
3. Hector Macqueen Charlotte WeAlden, & Graeme Laurie, Text Book on Intellectual Property, Oxford University Press.

**PUBLIC INTERNATIONAL LAW**

**OBJECTIVE OF THE COURSE:** The students have so far studied the domestic law and have also been exposed to the fact that neither an individual nor a nation can survive in isolation. The students have learnt of international relations from the point of view of political science. This module will discuss the same from the legal point of view.

Marks – 100 (Written – 80 + Project – 20)

Credit : 04

1. Definitions, nature and basis of International Law'
2. Sources: Treaties, Customs, General Principles, United Nations General Assembly Resolution, Secondary sources of International Law.
3. Relationship of International Law and Municipal Law.
4. Individuals as Subjects of International Law
5. Jurisdiction of States-basic principles
6. Recognition
7. Nationality
8. Asylum and Extradition
9. Peaceful Settlement of Disputes
10. Neutrality
11. Law of the Sea-Continental Shelf, Exclusive Economic Zone, International Sea Bed Authority: Its Functions and Powers ; Piracy.

**\*\*\*\*\* Students are expected to read current case laws. Only the current enactments and enactments as amended up to date will be taught.**

**RECOMMENDED READINGS :**

**\*\*\*\*\*** Only current editions are to be read.

1. H.O. AGARWAL – HUMAN RIGHTS AND INTERNATIONAL LAW
2. S.K. KAPOOR- INTERNATIONAL LAW
3. PALOK BASU – LAW RELATING TO PROTECTION OF HUMAN RIGHTS
4. M.P. TANDON AND Dr. V.K. ANAND – INTERNATIONAL LAW AND HUMAN RIGHTS
5. Dr. S. SUBRAMANIAN – HUMAN RIGHTS: INTERNATIONAL CHALLENGES

**PRACTICAL – III**

**[Alternative Dispute Resolution ]**

**OBJECTIVE OF THE COURSE:** The formal dispute resolution system is too overburdened. Further the formal system is not very accessible to the poor man. So an alternative dispute resolution system has been evolved. The students will be exposed to this process in this module.

Marks – 100

Credit – 04

**MODULE – I:** Negotiation Skills to be learnt through simulated Programme and case studies

**MODULE – II:** Conciliation Skills to be learnt through simulated Programme and case studies

**MODULE – III:** Arbitration Law and Practice including International Arbitration and Arbitration Rules

Written submissions Marks – 90

Viva Voce marks – 10

**NOTE:** Students will have to put in four weeks of internship compulsorily in Semesters VI, VII, VIII, IX, X, and obtain a certificate of internship without which the Bar Council may not enroll them. The students must maintain diary. They will be evaluated in the **X Semester along with Moot Court Exercise and Internship Practical Paper.** The internship should be in the following Institutions or Organizations:

1. NGO
2. Trial and Appellate Advocates { compulsory }
3. Judiciary
4. Legal Regulatory Authorities
5. Legislatures and Parliament
6. Market Institutions
7. Law Firms
8. Companies
9. Local Self –Government
10. Other Legal Functionaries
11. Any other body approved by the college.

