“NATIONAL WORKSHOP
ON
APPLIED INTELLECTUAL PROPERTY LAW”

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FACULTY OF LAW,
UNIVERSITY OF DELHI

Prepared by

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“National Workshop on Applied Intellectual Property” began at around 10 AM on 25th November 2017. This workshop was organized by Faculty of Law & LLM Students Union, University of Delhi in collaboration with Singh & Singh Law Firm.

For the Inaugural Programme, on dais were Hon’ble Justice Rajiv Sahai Endlaw, High Court of Delhi, Mr. Rajiv Aggrawal, Joint Secretary, DIPP, GOI, Professor Ved Kumari, Dean & Head, FOL, Mr. Sudeep Chhaterjee, Partner, Singh & Singh, Dr. Alka Chawla, Professor, FOL, DU and Assistant Professor Dr. Ashwini Siwal, Workshop Cordinator, FOL, DU.

Dr. Ashwini Siwal gave the introduction of workshop. He emphasized importance of the practical aspect of learning and said the objective of organizing this workshop is to add the new dimension in the student’s knowledge about the practical aspect of Intellectual Property.
After the lightening of lamps, Patron of the workshop Professor Ved Kumari delivered the special address. She emphasized about the Law Day and the respect for rule of law. She explained the Preamble as well as Fundamental Duties enshrined in the Constitution of India. She advocated for a duty based approach as this approach has tendency to unite.

Dr. Alka Chawla in her special address shared the myriad experience she had had while spearheading the Copyright awareness program-me in different colleges. She stressed the point that there must be respect for one’s efforts and one must not be compelled to share his or her Copyrights with others.

Mr. Sudeep Chhaterjee chose not to speak much as the whole Workshop was to unfold under his leadership in the following day.
Chief Guest, Hon’ble Justice Endlaw in his address said that classroom learning is very important and the skill to learn which is taught in classroom once missed is difficult to cope up with. He said, we the people of India, in the Constitution have chosen to be governed by the Law and the rule of law remains supreme.

Mr. Rajiv Aggrawal, Guest of Honour through his comprehensive power-point presentation showed the positively changing paradigm of Intellectual property in India. He informed the gathering that time taken for grant of Trademark and Patent has significantly been reduced by the structural changes. He shared how Startups are being encouraged by granting rebates in different procedures. Due to these relentless efforts, he informed that India’s rank in Global Innovation Index (GII) has shown a great improvement.

Before the Vote of thanks could start, Professor Ved Kumari shared the National Oath with the gathering made by her. Everyone willingly took the oath to uphold the rule of law and well-being of nation.
Dr. Ashwini Siwal delivered the vote of thanks by recounting the enlightening things said by the esteemed guests in a very energetic manner. We broke for Tea.

First session of the Workshop was on Trademark Registration: Practice & Procedure. The speakers were Bitika Sharma, Mohit Wadhwa, Meetali Agarwal, Arushi Lohia and Dr. Sunanda Bharti. Bitika Sharma through her comprehensive ninety-nine slide long interesting presentation built the common understanding about the Trademark. Mohit Wadhwa introduced the procedure through which the registration is taken. In between almost every question was taken and enthusiastically answered. Dr. Bharti asked a slew of questions and the resultant answers exposed the gathering to vital information related to Trademark. After covering the every possible angle, we broke for lunch.

After lunch, we again assembled for a session on Patent Litigation. The speakers were Bitika Sharma, Vivek Ranjan, Mansee Teotia and Dr. Aswini Siwal. Bitika Sharma firstly discussed that in India Patent is granted on product as well as process and she also told about the emerging trends like the Patent being granted for product of process. Different sorts of legal actions such as Qiva timet were discussed. Path-breaking judgments like Byer vs. Union of India were also discussed. Questions and answers kept the interest of the participants alive.
Next session was on **Patents Prosecution: Practice and Procedure**. Speakers were Bitika Sharma, Archana Singh, Nitya Sharma and Ashwini Siwal. *Quid pro quo* emerged as the sole basis for which a Patent is granted. An inventor makes public his innovation in return of monopoly over the innovation for twenty years. Under Section 10 of Patent Act, Patent applications are made. It requires the *full specification* about the invention to be made. The subtle way in which a specification is made was explained. The importance of this aspect in relation to Pharmaceutical Industry was explained in detail.
Copyright Litigation: Practice & Procedure was the topic of the next session of the Workshop. The speakers were Sudeep Chatterjee, Jaya Mandelia and Dr. Alka Chawla. Non-territoriality and the automatic subsisting nature of Copyright was explained. As a result of slew of question, an interesting interrelated analysis of Copyright Act, Design Act and Trademark Act started. Almost everyone participated. Through the example of the particular type of the architecture of a building, related legal aspects were explained. Even the period of subsistence of Copyright, usually known to be sixty years, got questioned.

Next session was on the topic of Trademark Litigation. Speakers were Archana Sahadeva, Isha Tyagi, Devanshu Khanna and Mr. Ashwni Siwal. Parallel Civil and Criminal remedies are available in this field. Comprehensive nature of the Act was shown by emphasizing on the Section 134 of the Trade Marks Act which decides the Territorial Jurisdiction of the Court. The stipulated provisions of Commercial Courts Act were also discussed.

The final and last Session of the workshop was on the topic of IP & Commercial Courts. Firstly, the factual analysis was shown to establish that IP litigation proceeds rather slowly in
the usual Courts. Under the *Commercial Courts Act*, the cases related to IP having pecuniary value of more than ten million rupees would be taken. Such an Act saves the IP lawyer from the NCL nightmare wherein the next date just doesn’t come. This approach has indeed shown good results and looks promising to go a long way.

With this session, this National Workshop on Intellectual Property came to an end. We broke for the much needed Tea.