

## NIRMA UNIVERSITY

<b>Institute:</b>	Institute of Law
<b>Name of Programme:</b>	B.A., LL.B (Hons.), B.Com.LL.B(Hons.)
<b>Course Code:</b>	2IPR844
<b>Course Title:</b>	Farmers & Breeders Rights
<b>Course Type:</b>	Department Elective
<b>Year of Introduction</b>	2021-2022

### Credit Scheme

L	T	Practical component				C
		LPW	PW	W	S	
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### Course Learning Outcomes (CLO)

At the end of the course, students will be able to –

1. Analyze the International approaches in protection of Farmers Right vis-à-vis Breeders right.
2. Evaluate the legal regulations of Seeds.
3. Evaluate the Protection of Plant Varieties and Farmers' Rights Act, 2001 (PPFVR) in Consonance with International Initiative for the protection of Framers and Breeders Rights.
4. Determine the degree of interdependence of PPFVR and Biodiversity law.
5. Evaluate the initiatives of India in protecting, restoring and promoting sustainable use of terrestrial and ecosystems.
6. Determine the reasons for genetic erosion and suggest the policy changes.

### Syllabus:

#### Unit

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**Total teaching hour: 60**

**Teaching hours**

**5 Hours**

#### Unit-I

#### Plant Variety Protection

##### 1.1 An Introduction

##### 1.2 Growth & development of Plant Varieties Protection

##### 1.3 Concept of Framers rights and Breeders Rights

##### 1.4 Rational for *Sui generis* system



Unit-II	<b>The Genesis of Farmers Rights and International Initiatives for Plant Varieties Protection</b> 2.1 Farmer's rights as a new form of rights. 2.2 UPOV regime and plant varieties protection. 2.3 The International Undertaking on Plant Genetic Resources 2.4 TRIPs and its effect on Plant varieties protection. 2.5 The International Treaty on Plant Genetic Resources for Food and Agriculture	10 Hours
Unit-III	<b>Indian initiative for the protection of Farmers and Breeders Rights</b> 3.1 Nature and Scope of The Protection of Plant Varieties and Farmers Rights Act, 2001 3.2 Process of registration of plant varieties and derived varieties 3.3 Effect of registration and benefit sharing 3.4 Surrender and Revocation and compulsory licensing 3.5 Farmers Rights and Rights of Communities 3.6 The Seed Bill, 2019	20 Hours
Unit-IV	<b>Infringement and Remedies</b> 4.1 Plant Varieties Protection Appellate 4.2 Tribunal Infringement and Remedies for infringement. 4.3 Offences and penalties	5 Hours
Unit- V	<b>Biodiversity and the related issues</b> 5.1 Nature and Scope of Biological Diversity Act, 2000 5.2 Effectiveness of Access and Benefit sharing agreements 5.3 Role of Farmers & Breeders in Sustainable Development Goal 15: Protect, Restore and Promote sustainable use.	10 Hours
Unit-VI	<b>Emerging issues in protection of Farmers rights &amp; Breeders Rights</b> 6.1 Impact on Biodiversity 6.2 Issues on Biodiversity 6.3 Genetic Erosion 6.4 Rights to Equity in benefit sharing process.	10 Hours

Suggested Reading  
Reference:

1. Verkey E (2007) *Law of Plant Varieties Protection*, Lucknow: Easter Book Company.
2. Shivade A (2004) *Intellectual Property Manual*, New Delhi: Butterworths.
3. Peter E.D. (1999), *Intellectual Property*, England: Ashgate Publishing.
4. Ramakrishna T, (2005) *Biotechnology related Intellectual Property Rights*, Bangalore: CIPRA – National Law School of India University.
5. Dutfield G. (2000) *Intellectual Property Rights, Trade and Biodiversity*, London: Earthscan.
6. Kloppenburg J. R. (1988), *First the Seed: The Political Economy of Plant Biotechnology*, New York: Cambridge University Press.
7. Torremans P. (1996) *Intellectual Property Law*. London: Butterworths.
8. Shiv, V (1995), *Captive Minds, Captive Lives: Essays on Ethical and Ecological Implications of Patent on Life*, Dehradun: Research Foundation for Science, Technology and Natural Resource Policy.
9. Watal, J, (2001), *Intellectual Property Rights in the WTO and Developing Countries*, Netherlands: Springer.

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