Literature Review:

   With the fast-growing computer technology, internet, information storage through
   computer databases, cyberspace and information technology, the laws relating to Patents,
   Designs, Trade Marks, Copyrights, Confidential Information, Industrial & Trade Secrets
   and Know-how, have undergone revolutionary changes, on our Parliament passing the
   Trade Marks Act 1999, the Geographical Indications of Goods Act 1999, the Designs
   Act 2000, the Information Technology Act 2000, the Semiconductor Integrated Circuits
   Protection of Plant Varieties and Farmers' Rights Act 2001, brings further areas of
   creative activity under the protection of intellectual property laws.
   In his present work on the Intellectual Property Law, Narayanan gives an authoritative
   commentary on the entire gamut of this multifaceted law and explains, inter alia, that
   though there is no copyright in ideas, yet the copyright in a work giving expression to
   the idea in a material form automatically subsists as soon as the work comes into
   existence, provided it is original. If a design is registered under the Designs Act of 1911,
   it is not eligible for protection under the Copyright Act but to a design not so registrable,
   copyright will subsist under the Copyright Act. Again, information relating to any
   subject is now available through Internet and website from anywhere in the world and
   within a few seconds. Beneficial though they are, the changes introduced in the new
   millennium enormously increased the scope of piracy of intellectual property and against
   which the present law appears inadequate.
   In this reprint the author has made necessary changes at the relevant places due to the
   passing of amendments and new legislations since the publication of the third edition.
   The work not only highlights all the salient features of the new legislations but also the
   essential and useful information about all branches of IPR law. The subject-matter of
   each branch is detailed in separate chapters, topic wise, with a subject index designed to
   facilitate quick location of any topic. The Appendices, besides containing texts of all
   essential Statutes, contain also relevant extracts from the GATT and TRIPS agreements
   and notifications regarding India’s membership of the Paris Convention.
Provides full explanation of the UK law of trade marks and trade names. Covers classification, registration (UK & European), different types of marks, enforcement, infringement and litigation. Includes coverage of assignments. Goes through licensing, merchandising and franchising. Deals with infringement and available remedies. Looks at mediation and arbitration in the context of trade marks. Incorporates recent legislative change such as the Trade Marks Regulations 2008, the Trade Marks (Earlier Trade Marks) Regulations 2008 and the Community Trade Mark (Amendment) Regulations 2008.

The legal concepts and the principles expounded by the British Courts on Intellectual Property, during the last two centuries, covering Trade Marks, Trade Names and Passing off are of universal application and the textbooks and the law on the subject, throughout the world, are modelled on those English principles. In these two volumes the author has edited and digested about 1600 of such decisions chronologically with headnotes and resume of facts and summary of decisions making it a comprehensive reference work.

In their exciting new book, *The Origin of Brands*, the Rieses take Darwin's revolutionary idea of evolution and apply it to the branding process. What results is a new and strikingly effective strategy for creating innovative products, building a successful brand, and, in turn, achieving business success. Here, the Rieses explain how changing conditions in the marketplace create endless opportunities to build new brands and accumulate riches. But these opportunities cannot be found where most people and most companies look. That is, in the convergence of existing categories like television and the computer, the cell phone and the Internet. Instead, opportunity lies in the opposite direction—in divergence. By following Darwin's brilliant deduction that new species arise from divergence of an existing species, the Rieses outline an effective strategy for
creating and taking to market an effective brand. Using insightful studies of failed convergence products and engaging success stories of products that have achieved worldwide success through divergence, the Rieses have written the definitive book on branding. *The Origin of Brands* will show you in depth how to build a great brand and will lead you to success in the high-stakes world of branding.

Brands have become the single most important asset of many business organisations today. The need to protect them from unauthorised copying, imitation and unfair competition is therefore all the more necessary. But what can be done? Trademarks, Advertising and Brand Protection informs the reader of the various legal measures available to protect brands, including copyright, trademarks, patents, designs, etc., and offers practical advice on how different aspects of a brand can be protected. Starting with an analysis of a brand in management literature, the book moves on to discuss and analyse brand protection from both marketing and legal perspectives. The book considers each aspect of a brand, that is, its shape, packaging, marketing, advertising, etc., to provide a comprehensive overview of the subject. The text examines in detail the issue of brand protection on the Internet and outlines brand valuation issues. The book concludes with an analysis of the shortcomings of the current legal regime and puts forward a proposal to fill in the gaps.


Intellectual Property Rights (IPRs) assumed central importance in the recent past throughout the world. Apart from the World Intellectual Property Organisation (WIPO), a specialised agency of the United Nations which is responsible primarily for the promotion and protection of intellectual property rights, IPRs were also negotiated under the General Agreement on Tariffs and Trade (GATT) and became a part of the TRIPs Agreement of the WTO Treaty. The TRIPs Agreement evolved minimum standards for copyright, patents, trademarks, industrial designs geographical indications, layout-design of integrated circuits and undisclosed information which include trade secrets.


The present work is an authoritative commentary on the entire gamut of this multifaceted law and it highlights not only all the salient features of the new legislations but also the essential and useful information about all branches of IPR law. Those who are interested in intellectual property rights need have a basic knowledge of IPR laws and their impact on man's daily life and work and this illuminating guide meets that need.


The second edition of Shri. Taraporevala’s work on Intellectual Property Rights (IPR) has come not a moment too late, considering the rapid developments in this field in the past few years. The statutory landscape has undergone a sea of change, especially with the enactment of the Copyright (Amendment) Act, 2012. The judiciary has also been quite active in deciding novel and challenging issues in IPR such as trademark dilution, the requisite standard of originality for copyright protection, injunctive relief in patent infringement action, the novelty standard for design protection, and many more.


the world becoming a single market place, these intangible property rights are becoming increasingly valuable. Any attempt to infringe or pass-off such rights must be given full legal protection and severely discouraged. Thus, there is an increasing litigation in these areas. The present third edition of this book is an honest and sincere attempt by a prominent lawyer of the Supreme Court to examine comprehensively at one place the entire gamut of case-law. The various law points emerging from the judicial pronouncements of the Supreme Court and High Courts all over India have been arranged sectionwise in a style very useful to the professionals and the corporate sector. The author has studied all the cases on the subject and those which are considered helpful in exposition of the principles governing the law of intellectual property have been embodied in this book. The utility of this publication is greatly enhanced by the inclusion of the relevant Rules on all subjects. The book will be tremendously useful to the judiciary in adjudicating disputes, the bar in advocating cases of their clients, industrialists and the corporate sector in understanding the legal provisions and preferring to be on the right side of the law, researchers, academicians, law colleges and students of law, commerce, economics and business management


Some of the topics comprehensively discussed are: Trade mark, its various concepts, its meaning, functions and objects. Brand and logo, as and identity of a product and of a company. Registration of trade mark, associated mark and certification mark and conditions of registration. Procedure for registration and the powers of the Registrar. Exclusive right to use the trade mark. Infringement of a registered trade mark. Law of passing off. Assignment and transmission of a trade mark. Law relating to the use of trade mark. Rectification and correction of the trade mark register. Appeals and Intellectual Property Appellate Board. Penalties for falsifying and falsely applying the trade mark of trade descriptions. Offences by the companies.

The overwhelming response of students, lawyers, judiciary and other users attracted by the past three editions has created an enlarged sense of responsibility. The fourth edition, has been updated keeping with that sense of responsibility and all the new amendments since the last edition. The book is divided into 8 parts viz: Patents; Trade Marks; Copyright; Designs; Geographical Indications; Semiconductor Integrated Circuits Layout-Design; Protection of Plant Varieties; and TRIPS.

Latest amendments vide the Patents (Amendment) Rules, 2006 have been duly incorporated in the main text at appropriate places. New case laws have also found a place in the new edition. An effort has been made to make this book as a complete textbook on IPR's and prevent the reader running from pillar to post to update himself.


Trademarks and geographical indications, small and medium enterprises, TRIPS compliance and country reports, teaching and research in IPRs.


The TRIPs Agreement evolved minimum standards for copyright, patents, trademarks, industrial designs, geographical indications, layout-design of integrated circuits, and undisclosed information, which includes trade secrets. The subject of intellectual property rights has become extremely important since then. The member states of TRIPs Agreement were under an obligation to amend their laws relating to intellectual property rights to bring them in conformity with the provisions of TRIPs Agreement. India has also enacted new laws on designs, trademarks, plant varieties and farmer’s rights, geographical indications, semiconductor integrated circuits layout designs and amended the Copyright Act and Patents Act drastically. This book is an attempt to discuss and analyse the law on intellectual property rights in India in very simple language. The
book also discusses know-how and licences to give an overall picture of the law on intellectual property rights. A summary of all the international agreements, treaties and conventions on the subject has also been provided to familiarise the readers with these treaties. Several Indian and English cases have also been referred, making it lucid. This book will fulfil the demands of students studying intellectual property rights.


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17. Ahuja V.K., 2007 (Reprint 2010), Law Relating To Intellectual Property Rights, New Delhi, LexisNexis Butterworth’s

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The book is a comprehensive work on the subject Intellectual Property Rights. It attempts to cover all the areas of Intellectual Property Rights in a clear and composite way. The editor has attempted to give the reader a complete nutshell on the subject. The book is basically a compilation of research articles written by academicians, scholars and people serving in the corporate sector across the country. It brings out literature on patents, copyrights, designs, trademarks, trade secrets, geographical indications, integrated circuits and semiconductor chips.

Often controversial and always compelling, Jagdish Bhagwati here provides at last a book that cuts through the noise on this most contentious issue, showing that globalization is part of the solution, not part of the problem. Anyone who wants to understand what’s at stake in the globalization wars will want to read In Defense of Globalisation.

Although it is common knowledge that the compliance of developing countries with the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) has become a serious stumbling block in the WTO agenda, The underlying reasons why this is so have not been dispassionately analyzed until the appearance of this book. Here, For the first time, Is a thorough and secure foundation on which international trade lawyers and business people can build a global intellectual property regime that is both productive and fair. The implementation of the TRIPS regime with its enormous effect on national and global strategies for healthcare, agriculture, And The environment, among other crucial sectors of the world economy is clearly among the most critical projects currently under way in the field of international relations. As a former TRIPS negotiator for India, Jayashree Watal brings great authority to her account of the benefits and pitfalls of TRIPS compliance for developing countries. She provides a detailed understanding of how TRIPS was negotiated at the Uruguay Round, how various countries have implemented it so far, and how the WTO monitors compliance. She reveals how the WTO dispute settlement process has worked to date in matters involving TRIPS, and how it is likely to deal with new issues that arise. Most importantly, she explains how developing countries can interpret TRIPS to their best advantage, and how to ensure that the 'constructive ambiguity' that characterizes the agreement remains flexible.


The text is based on intellectual property law and the specific issues that stem from the effective management and commercialization of intellectual property.


Value-Driven Intellectual Capital is a corporate and financial executives' handbook to the new world of intangible assets - what they are and how to convert them into cash or strategic position. Value-Driven Intellectual Capital explains the new, boundary-
expanding world of intellectual assets - where translating an innovative idea into bottom-line profits involves a tightly focused strategy with clear directives for making it happen. It is a blueprint for turning corporate knowledge, know-how, and intellectual property into a sustainable competitive weapon that will build a firm's reputation and market share." "Value-Driven Intellectual Capital is for any corporate or financial executive, merger and acquisition partner or investor who understands how much future corporate survival and success depends on the simple enduring genius of a good idea and the need to convert those ideas into corporate value.

An accessible introduction to intellectual property law which provides not only a comprehensive account of the substantive law, but also discusses the over-arching policies directing the legal decision making, as well as controversies and areas for further debate. Intellectual property law is an increasingly global subject and as such Contemporary Intellectual Property introduces the relevant European and international dimensions to ensure that you can gain a realistic view of the law as it actually operates. Explores intellectual property law as an organic and developing discipline, evaluating the success with which the law has been able to respond to new challenges. The combination of images and diagrams, with analysis of key cases and key extracts are all incorporated alongside the author commentary to clearly illustrate the core principles in intellectual property law. Fully updated to reflect the developments in the law and social polices that influence intellectual property protection. Enhanced cross referencing throughout the book to highlight the over-arching themes and interconnections across the subject as a whole.

Being a exhaustive commentary on the Trade Marks Act, 1999 and also on the Geographical Indications of Goods (Registration and Protection) Act, 1999, with Rules, case-law, notes, etc.

The TRIPS Agreement is the most comprehensive and influential international treaty on intellectual property rights. It brings intellectual property rules into the framework of the World Trade Organization, obliging all WTO Member States to meet minimum standards of intellectual property protection and enforcement. This has required massive changes in some national laws, particularly in developing countries. This volume provides a detailed legal analysis of the provisions of the TRIPS Agreement, as well as considering their economic implications in different legal and socio-economic contexts. "This book examines the obligations imposed on WTO Members in different fields of intellectual property, and thoroughly explores the flexibilities that they enjoy in implementing the Agreement.


Valuation of assets of the nature of intellectual property treads the thorny path of complexity. But the economic benefits of IPR as an asset are multiple in nature. The business houses can thus ill-afford to turn a deaf ear to it. The work focuses on the legal provisions underpinning a valuation exercise and also all the relevant methods of valuation of IP assets leaving a suitable choice for the valuers to make. The book enters the market with a freshness not perceived hitherto. The author with his rich experiences contributes his erudition in making this work an indispensable guide to all who have to harness the fruits of IPR in their practice or pursuits.


A comprehensive overview of the conflicts between internet domain names and trade marks. The present work also covers the aspect of Cybersquatting, the global efforts to combat it which paved the way for the enactment of a user-friendly dispute resolution procedure, the American legislation on Cybersquatting, the situation in U.K. and India,
the introduction of new domain names like info and the abusive registration and use of other identifiers in the domain name system.


30. Bansal Priya, Use of Trademark In Comparative Advertising: Situation in India; http://www.legalserviceindia.com/articles/tadv.htm


35. International Trade Mark Association (INTA) www.inta.org