

Experiences with the P.G. Course on Cyber Laws & Intellectual Property Rights

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Abstract

The era of Information-law commenced in India with the enactment of 'The Information Technology Act' that came into force from 17th October 2000 (IT Act) while, this Act is modeled on the UNCITRAL Law on E-Commerce, India joined the galaxy of a few States that ushered in such legislation.

At that time, India lacked specific laws to counter Computer Crime and the rising menace of Cyber Crime. The IT Act attempted to tackle Cyber Offences with some Chapters specifically devoted to that subject. Also, the Act legalizes E-Commerce bestowing legitimacy on E-Records appended with a Secure Digital Signature and creating an edifice of a Regulatory body to supervise the legitimacy of DigSig certificates.

However, the Legal Community in India was slow to join the Information era that dawned on the horizon. Using the Computers was new to the Lawyers and using the Internet with a slow bandwidth was a nightmarish experience. There was an immediate and compelling need for quality Courses to educate the Legal Community regarding the manifest advantages of the Internet Age.

The Author of this Paper was lucky to design the first University-offered Course on Cyber Laws in India way back in January 2001. This is so because the Author had a background both in Technology (M.Tech. & Ph.D.) and Law (LL.B. & LL.M.).

The subject of Intellectual Property Rights was added to this Course in 2004 in view of its importance as Indian IP Laws were amended to become TRIPS compliant.

The Course has become very popular with about a hundred admissions each year. The standard of the Course is almost that of any LL.M. Course, though because of the administrative constraints, a Post Graduate Diploma is given presently.

The Course is divided into two terms, each Term consisting of Six Courses out of which a Candidate must do Four Courses (Two Core Courses plus Two Electives). In the First Term the Six Courses are equally divided between Legal Subjects and Computer-application subjects and Intellectual Property subjects. In the Second Term, the Courses can be so chosen that one can specialize either in Cyber Laws or in Intellectual Property Laws. A major Project has to be done by the student in the Second Term which is a prominent feature of this Course.

The Paper closes with some remarkable successful contributions as also some perceived deficiencies of this Course and appeals for sharing of experience with Academics interested in such Courses addressing the needs of different sections of the Legal Community.