

Certificate Course on
“Patent Law Practices in the United States, India and China”
Inaugurated at GNLU

Offered by GNLU jointly with
George Washington University Law School

Gandhinagar, October 03, 2018: The two-day Certificate Course on **“Patent Law Practices in the United States, India and China”** was inaugurated at Gujarat National Law University (GNLU), today. It is for the first time that a comprehensive course on Patent law covering practice in the USA, China and India has been organized in the country.

The course is offered by GNLU jointly with the George Washington University Law School, the oldest law school in the Washington DC and one of the most prestigious law schools in the USA.

Principal faculty for the course include

- Dean John Whelan, Associate Dean of Intellectual Property Law at The George Washington University Law School;
- Hon. Randall R. Rader, Chief Judge (retired), Court of Appeals of the Federal Circuit;
- Mr Xiupeng OU, Intellectual Property trial lawyer and later a Deputy Chief Judge of the IP Tribunal of Guangdong Higher People’s Court and
- Prof. Dr Prabuddha Ganguli Professor, Rajiv Gandhi School of IP Law, IIT Kharagpur.

The course is divided into sessions that will cover Patent law practice in the USA, China and India. Dr. Nidhi Buch, Director, GNLU Centre for Intellectual Property Rights, in her brief opening remarks, thanked the international faculty for their presence and stated that “there are tremendous benefits of a course of this sort, for professionals, students, scholars and corporates alike, because of the expertise of the panel and the engaging and interactive sessions planned ahead”.

The course covers complex IP issues, latest developments and IP policy in the USA, India and China. The primary focus will be on Patent eligibility/ineligibility, concepts of Utility & Novelty, interpretation of Non-obviousness etc. Over the two days, specification and objective disclosure doctrines, claim construction and indefiniteness and case studies of infringement will also be dealt with.

The course has been envisioned to provide participants with an inter-cultural outlook to facilitate analysis of the effectiveness of present IPR laws against the touchstone of those in operation in leading countries. Remarking on the theme of the event and its significance in present times, Mr Xiupeng OU stated that, **“China, USA and India are now the most important nations. With the rise of technology and innovation, IP plays a very important role. Yet differences in the practice of Patent law is wide amongst these nations. China has changed its laws to promote frequent grant of Patent, whereas others need to improve in this regard.”**

Prof. Dr Prabuddha Ganguli said that **“there are several differences in the practice of IP Law in USA, India and China. For instance, USA follows the fair-use doctrine for copyright, whereas India applies the fair-dealing doctrine”**.

Such a multi-dimensional approach would provide a holistic perspective of IP which permeates into every field and is a key to constant and fast-paced technological advancements. When asked about his primary reason to conduct such a course, Hon. Randall R. Rader said, **“that it is important to note the differences between the practice in these jurisdictions. Each jurisdiction is slightly different from the other in terms of patent registration, prosecution and enforcement. These small changes add up to create a wholly different Patent practice. We ought to understand and learn these nuances for better practice and policy”**.

This course is a result of the joint efforts of the Gujarat Council of Science and Technology (GUJCOST) and the GNLU Centre for Intellectual Property Rights.

The Certificate course has seen an overwhelming response with over 150 participants from diverse fields.

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