

Subject : Law of Trademarks & Industrial Designs

Day : Thursday
Date : 19/05/2016

S.D.E.



Time : 10.00 AM TO 01.00 PM
Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt any **SIX** questions including **Q. No. 1** which is **COMPULSORY**.
- 2) **Q. No. 1** carries **20** marks and all other questions carry **12** marks each.

Q.1 Write short notes on (Any **FOUR**)

- a) Collective Trademark
- b) Service Mark
- c) Removal of Trade Mark
- d) Consumerism
- e) Honest and concurrent user
- f) Copyright Design

Q.2 "A trade mark is a type of intellectual property and typically a name, word, phrase logo, symbol design image or a combination of these elements". Discuss meaning concept and historical background of Trade mark.

Q.3 "The trade mark exists independently of the registration which merely affords further Protection under the statute". Discuss.

Q.4 Discuss in detail the law of passing off.

Q.5 Evaluate the power and duties of controller under the Industrial Design Act, 2000.

Q.6 "The essential purpose of design law is to promote and protect the design element of industrial production". State the functions of Design under the Designs Act, 2000.

Q.7 "The Industrial design registration helps in safeguarding the ornamental or aesthetic elements of the article". Examine the provisions relating to registration of designs under the Designs Act, 2000.

Q.8 Write short notes on the following:

- a) Infringement of Trade Mark
- b) Intellectual property appellate Board

Q.9 Elucidate the salient features of design Act, 2000.

Q.10 Critically examine the judicial approach of addressing consumer right in adjudicating Trade Mark disputes.

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Subject : Intellectual Property - Evolution, Concept and Kind

Day : Monday

Date : 16/05/2016

S.D.E.



Time : 10.00 AM TO 01.00 PM

Max Marks : 80 Total Pages : 1

N.B:

- 1) Attempt **ANY SIX** questions including **Q. No.1** which is **COMPULSORY**.
- 2) **Q. No.1** carries **20** marks and other questions carry **12** marks each.

Q.1 Write short notes on **ANY FOUR** of the following:

- a) Compulsory Licensing
- b) Internet & IPR
- c) Literally Work & Copyright
- d) Salient features of UCC
- e) Right to Perform
- f) Aim and objectives of UPOV Convention

Q.2 Explain the need for protection of Intellectual Property Rights and discuss the measures taken by judiciary in this regards.

Q.3 "Industrial design was not considered as intellectual property despite of being spent lot of amount and time being spent on innovating new designs which will attract public." Discuss the main characteristics of designs and its position in Berne Convention.

Q.4 Elaborate the 'Principles of territoriality limits' & its scope of intellectual property rights with the help of EEC Treaty.

Q.5 Discuss in brief the provisions of Madrid Agreement and its importance.

Q.6 Critically evaluate the role played by WTO in protection and enforcement of Intellectual property Rights.

Q.7 Elaborate the meaning of 'invention' under the TRIPS Agreement, also highlight the different approach with the Indian legal system.

Q.8 Explain in brief:

- a) WIPO relating copyright.
- b) TRIPS relating copyright.

Q.9 Explain the salient features of Patent Co-operation Treaty, 1970.

Q.10 Write a note on evolution of different types of Intellectual Property Rights with special emphasis on monopoly and exploitation.

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Subject : Law Relating to Protection & Recognition of Patent

Day : Tuesday

Date : 17/05/2016

S.D.E.



Time : 10.00 AM TO 01.00 PM

Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt any **SIX** questions including Q. No. 1 which is **COMPULSORY**.
- 2) Q. No. 1 carries 20 marks and all other questions carry 12 marks each.

Q.1 Write short notes on any **FOUR** of the following:

- a) Historical overview of Patent Law
- b) Application by foreigner
- c) Colorable Imitation
- d) Ground of Opposition
- e) Meaning of infringement
- f) Rights of Co-owner.

Q.2 "Patent must be an invention not discovery." Discuss with the recent case laws.

Q.3 Explain the rights, duties and liabilities of the patentee with reference to the Patent Act.

Q.4 Explain the rights and liabilities of Co-Owner.

Q.5 'Where there is a mistake in quoting the past reference number in the renewal application, the department shall enquire into the mistake and grant renewal'. Comment this statement with reference to *Jeijin Ltd.* case.

Q.6 Discuss the procedure of Registration of Patent and also mention the ground of oppositions.

Q.7 "Patent is granted to only such of those inventions which are new and which have commercial value." Comment and explain procedure for obtaining patent.

Q.8 'Additional invented parts of any machine, if they themselves involved inventive steps, can be patented'. Discuss this statement with the provision of patent of addition.

Q.9 "Licensing cannot sue for infringement unless the terms of the license granted to him authorise the licensee to do so". Comment on explain defenses of against infringement.

Q.10 Write a note on any **TWO** of the following:

- a) Features of Patent Cooperation Treaty, 1970
- b) Food and Pharmaceutical Patents
- c) Paris Conventions and Patent

S.D.E

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JANJIRA (2015 COURSE): SUMMER 2016

SUBJECT: LAW OF COPYRIGHT AND GEOGRAPHICAL INDICATIONS

Day : Wednesday
Date : 18-05-2016

Time : 10:00AM-TO 1:00P.M.
Max. Marks : 80.

N.B.:

- 1) Attempt any **SIX** questions including Q. No. 1 which is **COMPULSORY**.
- 2) Q. No. 1 carries 20 marks and all other questions carry 12 marks each.

Q.1 Write short notes on any **FOUR** of the following:

- a) History of Copyright Law
- b) Broadcasting rights
- c) Economic and moral rights
- d) Internet and Copyright
- e) Rights and liabilities of Copyright Society
- f) Functions of Geographical Indications.

Q.2 "Copyright is right given to creator to do or authorize other to do certain act in relations to literary, dramatic, musical and artistic work." Discuss and enumerate the purpose of copyright law.

Q.3 "The term of copyright varies according to the nature of work." Discuss the concept of term of copyright in published literary, dramatic, musical, artistic work and others under section 22-29 of the Copyright Act.

Q.4 "An assignment of copyright is an agreement where the author of a work transfers all or a portion of his rights in the copyright of the work to another person." Comment and discuss the modes of assignment.

Q.5 Define 'Licence.' Explain the provisions relating to licensing of copyright under the Copyright Act.

Q.6 Discuss the powers and procedure of Copyright Board.

Q.7 Define 'Performer.' Explain the performers right under the Copyright Act, 1957.

Q.8 Write notes on any **TWO** of the following:

- a) Register of Geographical Indication
- b) Distinction between Geographical Indication and Collective Mark
- c) Restoration of Geographical Indication

Q.9 Define 'Geographical Indication.' Elaborate the provisions for remedies which are available against infringement of Geographical Indication.

Q.10 Explain the essential ingredients of infringement and remedies available under the Copyright Act, 1957.