

**Subject : Intellectual Property - Evolution, Concept and Kind**

Day : Friday

Date : 19/05/2017

**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) Salient features of Berne Convention
  - b) Features of Paris Convention
  - c) UPOV Convention
  - d) Significance of IPR
  - e) Right to Perform
  - f) Concept of Copyright
- Q.2** Give a brief account of historical development of Intellectual property Rights and also explain detail the nature and scope of intellectual property.
- Q.3** Write a detail note on Indian position on process & product patents in light of the TRIPS Agreement.
- Q.4** Critically evaluate the role played by WTO in protection and enforcement of Intellectual property Rights.
- Q.5** "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.6** Discuss in brief the provisions of the Madrid Agreement and its importance
- Q.7** Critically elaborate the differences for Patent Examination between developed and developing countries.
- Q.8** Write short notes on:
- a) Budhapest Treaty
  - b) EEC
- Q.9** Write a detail note on 'WIPO Copyright Treaty'.
- Q.10** Explain the salient features of the Patent Co-operation Treaty, 1970.

**Subject : Law of Copyright & Geographical Indications**

Day : Monday

Date : 22/05/2017

**S.D.E.**



35491

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) Copyright a form of Intellectual Property
- b) Joint authorship
- c) Functions of Copyright board
- d) Rights of broadcasting organization
- e) Internet and Copyright
- f) Concept of Fair deal

**Q.2** "The copyright owners enjoy many rights in respect of the artistic, dramatic, literary work and other subject of copyright." Discuss and explain the multiple rights of owner.

**Q.3** "Authors of literary and artistic works protected by copyright law shall enjoy the exclusive right of making and of authorising the translation of their works throughout the term of protection of their rights in the original works." Comment and discuss the term of copyright.

**Q.4** "Section 18 (1) provides that no such assignments will be applied to any medium or mode of exploitation of the work which did not exist or was not in commercial use at the time when the assignment was made." Discuss and explain the concept of assignment.

**Q.5** Explain the concept of licences and discuss the difference between exclusive and implied licensing.

**Q.6** Define 'Performer.' Discuss the exclusive rights and moral rights of performer under the Copyright (Amendment) Act, 2012.

**Q.7** Discuss the powers and functions of copyright board under section 12 of the copyright.

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

- a) Advertisement and opposition of registration
- b) Infringement and remedies of Geographical Indication
- c) Regulatory authorities of Geographical Indication.

**Q.9** Define 'Geographical Indication.' Discuss the salient features of Geographical Indication of Goods Act, 1999.

**Q.10** Discuss the types of infringement under the Copyright Act, 1957 and discuss *Anand v Delix films* case.

**Subject : Law of Trademarks & Industrial Designs**

Day : Tuesday  
Date : 23/05/2017

**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) Property in Trade marks
- b) Piracy of Registered design
- c) Associated Trade mark
- d) Types of Trade marks
- e) Certification marks and collective marks
- f) Domain name

**Q.2** "A trade mark is a distinctive sign or indicators used by an individual business organization or legal entity to identity that the products or services to consumers with which the trademark appears originate from a unique source, and to distinguish its products or services from those of other entities". Discuss the functions of Trade mark.

**Q.3** The Register of Trade marks is the official record of trade marks. Explain the provision relating to registration of Trade mark Act, 1999.

**Q.4** In a passing off action fraud is not a necessary element therefore absence of intention to deceive can not be a defence. Explain.

**Q.5** Explain in detail the concept of assignment and licensing under Trade Mark Law.

**Q.6** Design imparts the visual appeal to an object and it serves to differentiate it from other products in the same category. Discuss meaning, concept and scope of designs Act, 2000.

**Q.7** Industrial design rights are defined as the part of intellectual property rights which confers the rights of exclusivity to the visual designs of objects which are generally not popular utilitarian. State and discuss the protection and rights of Design holders.

**Q.8** Write a note on  
i) Similar marks ii) nearly resembling marks  
iii) Deceptively similar marks.

**Q.9** Examine the provision relating to registration of designs under the Designs Act, 2000.

**Q.10** What do you mean by copyright in design? Explain the Remedy available to the design holder in case of infringement.

**Subject : Law Relating to Protection & Recognition of Patent**

Day : Saturday  
Date : 20/05/2017

**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) Aim and objectives of Patent Act
- b) Priority date and its purpose
- c) Patent Agent
- d) Types of patents
- e) Suit against infringement
- f) Unfair practices.

**Q.2** "Patent is granted to only such of those inventions which are new and which have commercial value." Comment and discuss patentable and non-patentable inventions.

**Q.3** "Record maintained by an inventor is the only proof of the date of invention and for the claim of authorship." Elaborate.

**Q.4** Define the term 'Infringement' and explain what defences available against infringement.

**Q.5** "Patent Co-operation Treaty is an agreement for international co-operation in the field of patent, but does not provide for the grant of international patent by any authority other than the authority of the country in which it is made." Comment.

**Q.6** Define 'process patent' and 'product patent.' Discuss the procedure of registration of patent.

**Q.7** "The controller of patents is not a civil court". Discuss.

**Q.8** Define the term 'Co-owner' and explain the rights and duties of co-owner with reference to the Patent Act.

**Q.9** Explain the provisions relating to Pharmaceuticals product innovations in India with the help of recent case laws.

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

- a) Patent and Plant Varieties and Farmer Rights Act
- b) TRIPS and Patents
- c) Nuclear patents.