

Subject : Intellectual Property - Evolution, Concept and Kind

Day : Monday

Date : 21/11/2016

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) Functions of WTO
 - b) Adaptation & Copyright
 - c) Well Known Trade marks
 - d) Right to Perform
 - e) Aim and objectives of UPOV Convention
 - f) Objectives of Locarno Agreement
- Q.2** Explain how grant of patents hamper and restrict research and development in various fields of Technology. Also enumerate the EEC approach in curbing such restrictions.
- Q.3** Write a note on evolution of different types of Intellectual Properties Rights and their protection with the help of International conventions.
- Q.4** Discuss in brief the provisions of the Madrid Agreement and its importance.
- Q.5** Explain the World Intellectual Property organization (WIPO) role in the resolution of Domain Name Disputes.
- Q.6** Explain the TRIPS principles relating to promotion and protection of Intellectual property Rights.
- Q.7** Explain the salient features of Patent Co-operation Treaty, 1970.
- Q.8** Write short notes on:
- a) Budapest Treaty
 - b) Aim and Objectives of Trademark Law Treaty
- Q.9** Examine the salient features of the Berne convention. Also bring out its difference with the Universal Copyright convention.
- Q.10** Critically evaluate the role played by WTO in protection and enforcement of Intellectual property Rights.

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Subject : Law Relating to Protection & Recognition of Patent

Day : Tuesday

Date : 22/11/2016

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) Definition of invention
- b) Colorable imitation
- c) Provisional specification
- d) Compulsory licence
- e) Defences available against infringement
- f) Features of TRIPS.

Q.2 "Fundamental principles of patent law is that a patent is granted only for an invention which must be new and useful." Comment and discuss patentable and non-patentable inventions.

Q.3 "Where a patentee taken out for a process for arriving at a known result any other person may take out a patent for another process." Discuss this statement with the provisions of process patent.

Q.4 "The turmeric patent is just the first step in stopping by bio-piracy." Discuss this statement with recent case laws of bio-piracy.

Q.5 Define 'Compulsory license' and discuss the concept of assignment and licenses of patent.

Q.6 "If the specification is not properly drafted or specification furnished does not enable the person knowing the art to work the specification, grant of patent will be refuse". Comment and critically elaborate the concept of Specification.

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

Q.8 "Patent system of fuel of interest to fire of genius". Justify the statement in the light of nature and scope of patent.

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) Paris Convention for Protection of Intellectual Property
- b) Nuclear and defence Patents
- c) TRIPS and Patents.

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Subject : Law of Copyright & Geographical Indications

Day : Wednesday
Date : 23/11/2016

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) Meaning and characteristics of Copyright
- b) Registration of Copyright
- c) Authors and ownership of Copyright
- d) Internet and Copyright
- e) Reprography
- f) Anton Pillar Order.

Q.2 "Copyright is a protection that covers published and unpublished literary, scientific and artistic work, whatever the form of expression, provided such a works are fixed in tangible or material form." Comment and discuss the aims and objective of copyright law.

Q.3 Explain the subject matter of copyright and term of copyright in published literary, dramatic, musical, artistic work and others under section 22-29 of the Copyright Act.

Q.4 Explain the section 18 of the Copyright Act which deals with the assignment of copyright.

Q.5 Explain the provisions relating to Licensing under the Copyright Act, 1957.

Q.6 Define 'Performer.' Explain the exclusive rights of performers under the Copyright (Amendment) Act, 2012.

Q.7 Discuss the powers of registrar of copyright rights and copyright board.

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

- a) Salient features of Geographical Indication of Goods Act, 1999
- b) Difference between Geographical Indication and Trademark
- c) Infringement and remedies of Geographical Indication

Q.9 Elaborate the provisions for registration of Geographical Indication.

Q.10 'Ubi Jus Ibi Remedium.' Discuss this maxim and explain the certain acts do not amount to infringement of copyright.

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Subject : Law of Trademarks & Industrial Designs

Day : Thursday

Date : 24/11/2016

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 Mark
 - b) Powers and functions of registrar under the trade marks Act, 1999
 - c) Appellate Board
 - d) Deceptive similarity
 - e) Service Mark
 - f) Honest and concurrent user
- Q.2** What is Trade Mark? Distinguish between Trade Mark and Property Mark.
- Q.3** When a person gets his trade mark registered under law, he acquires valuable rights by reason of such registration. Explain the procedure for registration of trade mark under the Trade Mark Law.
- Q.4** Registration give the registered proprietor of the trade mark the exclusive right to the use of the trade mark in relation to the goods or services in respect of which the trade mark is registered and to obtain relief in cases of infringement. Discuss the various remedies available to the proprietor for the infringement of trade mark.
- Q.5** Discuss the power and duties of controller under the Industrial Design Act, 2000.
- Q.6** Passing-off is said to be a species of unfair trade competition of actionable unfair trading by which one person through deception, attempts to obtain an economic benefit of the reputation which another has established for himself in a particular trade or business. Comment with the help of case law.
- Q.7** Explain the Definition of Design and Discuss the essential characteristic of Designs under the Designs Act, 2000.
- Q.8** The Industrial Design law vests certain rights in the proprietors of Registered Designs. Explain rights granted to Design holder.
- Q.9** Discuss the procedure for assignment and licensing of Trade Mark under the Trade Mark Act, 1999.
- Q.10** Who can apply for registration of Design? Explain the procedure for registration of Industrial Design.

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