

35120

JANJIRA: SUMMER - 2017

(Old Course)

DIPR

SUBJECT: LAW RELATING TO COPY RIGHT

Day : Monday
Date : 22-05-2017

Time : 2:30 P.M. TO 5:30 P.M.
Max Marks: 80

N.B.

- 1) Attempt any **SIX** questions, including Q.1 which is **COMPULSORY**.
- 2) Q.1 carries 20 marks and all other questions carry 12 marks each

Q.1 Write short notes on any **FOUR**

- a) Fair deal
- b) Term of copyright
- c) Artistic work
- d) Internet and copyright
- e) Cinematograph films
- f) Restoration of geographical indications

Q.2 Trace the history of the copyright law and also state the legislations prevalent in India relating to copyright.

Q.3 Discuss the need and procedure of registration of copyright.

Q.4 Discuss the various modes of assigning of copyrights.

Q.5 Elaborate the concept of copyright board and also discuss the powers of the board.

Q.6 Explain in detail the concept of performer's right.

Q.7 Explain the provisions relating to computer software in detail

Q.8 Explain in detail the concept of author and owner of copyright and state when the author and owner of copyright in the same work differ.

Q.9 Explain in detail the concept of geographical indication.

Q.10 State the offences and punishment in cases of infringement of geographical indications.

* * *

Subject : Law of Trademarks & Industrial Designs

Day : Tuesday
Date : 23/05/2017



Time : 02.30 PM TO 05.30 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 of Trade Mark
 - b) Grounds of Refusal of Trade Mark
 - c) Associate Marks
 - d) Removal of Trade Mark
 - e) Definition of Design
 - f) Concept of 'Original' under Design Act, 2000
- Q.2** The Law of Trade Marks is based mainly on the concepts of distinctiveness, similarity of marks and similarity of goods. Discuss briefly the provisions of Trade Marks Act, 1999.
- Q.3** An unregistered trade mark, called a common law trade mark can be kept alive and protected for as long as it continues to be used, provided the owner of the mark takes appropriate action against infringers by a passing off action or by Criminal Proceedings. Discuss the concept of unregistered trade mark and importance of registration.
- Q.4** Infringement of a Trade Mark occurs if a person other than the registered proprietor or registered user, uses the same mark or a deceptively similar mark, in relation to the same goods or services for which the mark is registered. State and explain the essentials of Infringement under Trade Marks Act, 1999.
- Q.5** Write notes on:
- a) Remedies for Infringement of Trade Mark
 - b) Defences available to the Infringement of Trade Mark
- Q.6** Critically evaluate the provision for Assignment and Licensing of Trade Marks Act, 1999.
- Q.7** The basis for a passing-off action is false representation. Discuss in detail the law of passing off.
- Q.8** Design means only the nature of shape, configuration, pattern or ornament, which in a finished article appeal to and judged solely by the eye. Discuss the origin and evolution of law relating to Design in India.
- Q.9** The procedure for registration of a design is comparatively simple when compared to procedure for registration of a patent or a trade mark. Discuss the procedure for Registration of Design.
- Q.10** How do you ensure Protection to the Right of Design Holders under Design Act, 2000?

35121

JANJIRA : SUMMER - 2017

(Old course)

SUBJECT : LAW RELATING TO TRADE MARKS & INDUSTRIAL DESIGN

Day : Tuesday
Date : 23-05-2017

Time : 2:30 P.M. TO 5:30 P.M.
Max. Marks : 80

N.B.

- 1) Attempt any SIX questions including Q.1 which is **COMPULSORY**.
- 2) Q.1 carries 20 marks and other questions carry 12 marks each.

-
- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Copyright under the Designs Act, 2000
 - b) Honest concurrent user
 - c) Internet domain name
 - d) Joint trade mark
 - e) Names of living person as trade marks
 - f) Doctrine the Unjust Enrichment/Misappropriation
- Q.2** ““Passing off” is said to be a species of unfair trade competition.” Critically evaluate and enumerate the remedies available under the law.
- Q.3** Explain the provisions of TRIPS with respect to industrial designs along with relevant landmark international cases.
- Q.4** Critically evaluate the cases of piracy with the Twin Test of Fraudulent Imitation and Obvious Imitation.
- Q.5** Write the comparative analysis on the overlapping provisions of trade mark and designs in India.
- Q.6** Evaluate critically in detail the various civil and criminal remedies available for infringement of trade mark in India.
- Q.7** Evaluate critically the concepts of ‘Trade Marks in Part’ and ‘Trade Mark in Series’ with the help of illustrations from day to day life.
- Q.8** State and elaborate the meaning of ‘Deceptive Similarity’ as applicable to infringement of trade marks. Explain the distinction between ‘Deceptive Similarity’ and ‘Identical Similarity’ with help of relevant landmark case laws.
- Q.9** State and explain the essentials of a design.
- Q.10** A proprietor of a business has applied for registration of symbol ‘OM’ as his trade mark. Decide upon the maintainability of his application with help of relevant legal provisions and land mark case laws.

Subject : Law of Copyright & Geographical Indications

Day : Monday



Time : 02.30 PM TO 05.30 PM

Date : 22/05/2017

Max Marks : 80 Total Pages : 1

N.B.:

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

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

- a) History of Copyright
- b) Economic and Moral Rights
- c) Musical and Artistic Work
- d) Meaning of Publication
- e) Assignment of Copyright
- f) International Organization and Copyright.

Q.2 Define 'Copyright.' Explain the nature and scope of copyright with the help of the Copyright Act.

Q.3 Explain in detail about the special provisions concerning cinematographic work with the help of provision of the Indian Copyright Act.

Q.4 Explain in detail the provisions relating to assignment of ownership and licensing of copyright including compulsory licensing in certain circumstances.

Q.5 Discuss the copyright issues involved in Google library project.

Q.6 Define 'Digital Rights Management.' Discuss the issues and challenges of the DRM with the help of the Copyright (Amendment) Act, 2012.

Q.7 Explain the doctrine of 'Fair Use' with the help of recent case laws.

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

- a) Benefits of registration of Geographical Indication.
- b) Indications and Schedule
- c) Infringement of Geographical Indication.

Q.9 Define 'Internet Service Provider.' Discuss the issues and challenges of ISP regarding copyright infringement.

Q.10 "Geographical Indication has emerged as major intellectual property, asset for protecting consumers interest and providing recognition to the high and distinct quality local products in the recent times." Discuss.

* * *

Subject : Law Relating to Protection & Recognition of Patent

Day : Saturday
Date : 20/05/2017



Time : 02.30 PM TO 05.30 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) Special provision for foreign application
 - b) Patent Opposition
 - c) Patent Examination
 - d) Powers of Controller
 - e) Transmission of Patent
 - f) Revocation of Patent
- Q.2** Define 'Patent' and Elaborate the history and salient features of the Indian Patent System.
- Q.3** "The fundamental principles of patent law are that a patent granted only for an invention which must be new and useful". Comment & discuss the patentable and non-patentable invention.
- Q.4** "Claims are the most important component in the patent specification". Discuss the essential feature of Complete Specification.
- Q.5** Discuss the power and responsibilities of Intellectual Property Appellate Board (IPAB) with respect to inventions.
- Q.6** Explain the procedure for registration of patent.
- Q.7** "The Patentee is entitled to give licence of rights for making use of the patent to any person in accordance with the procedure prescribed in the Patent Act" Discuss and explain the rights of patentee.
- Q.8** Write a note on **ANY TWO** of the following:
- a) Patent Agent
 - b) Government use of Patent
 - c) Term of patents of addition
- Q.9** Define 'licence'. Explain the provisions regarding licensing and state the difference between licensing and assignment.
- Q.10** "Infringement of Patent is violation of monopoly" Discuss and explain types of infringement of Patent.

* * * * *

35119

JANJIRA : SUMMER - 2017

(old course)

SUBJECT : LAW RELATING TO PROTECTION AND RECOGNITION OF PATENT

Day : Saturday
Date : 20-05-2017

Time : 2:30 P.M. TO 5:30 P.M.
Max. Marks : 80

N. B. :

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

- Q. 1 Write short notes on ANY FOUR of the following:
- a) Nuclear Patent
 - b) Patent Agent
 - c) Paris Convention
 - d) TRIPS
 - e) Patent-in-Addition
 - f) Revocation of Patents
- Q. 2 Discuss and explain the rights of patentee and rights of co-owners of patents.
- Q. 3 Discuss the procedure for registration of patent.
- Q. 4 Explain the meaning of patent and which subject matters are not patentable inventions.
- Q. 5 "A patent is recognized as a species of property and can be transferred from the original patentee to any other person by the assignment or by operation of law". Comment.
- Q. 6 Evaluate the provisions relating to revocation of patents with the help of latest case laws.
- Q. 7 Discuss the procedure for obtaining patent and special provisions for foreign application.
- Q. 8 What is infringement of patent? What are the remedies available against infringement?
- Q. 9 "Turmeric patent is just the first step in stopping by piracy". Elaborate in detail.
- Q. 10 Write a note on:

SUBJECT : LAW RELATING TO PROTECTION AND RECOGNITION OF PATENT

Day : Saturday
Date : 20-05-2017

Time : 2:30 P.M. TO 5:30 P.M.
Max. Marks : 80

N. B. :

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

- Q. 1 Write short notes on ANY FOUR of the following:
- a) Nuclear Patent
 - b) Patent Agent
 - c) Paris Convention
 - d) TRIPS
 - e) Patent-in-Addition
 - f) Revocation of Patents
- Q. 2 Discuss and explain the rights of patentee and rights of co-owners of patents.
- Q. 3 Discuss the procedure for registration of patent.
- Q. 4 Explain the meaning of patent and which subject matters are not patentable inventions.
- Q. 5 "A patent is recognized as a species of property and can be transferred from the original patentee to any other person by the assignment or by operation of law". Comment.
- Q. 6 Evaluate the provisions relating to revocation of patents with the help of latest case laws.
- Q. 7 Discuss the procedure for obtaining patent and special provisions for foreign application.
- Q. 8 What is infringement of patent? What are the remedies available against infringement?
- Q. 9 "Turmeric patent is just the first step in stopping by piracy". Elaborate in detail.
- Q.10 Write a note on:
- a) Food and Pharmaceutical Patents
 - b) Power of Controller

35118

JANJIRA : SUMMER - 2017

(Old Course)

SUBJECT : INTELLECTUAL PROPERTY LAW - EVOLUTION, CONCEPT AND KINDS

Day : Friday
Date : 19-05-2017

Time : 2:30 P.M. TO 5:30 P.M.
Max. Marks : 80

N.B.

- 1) Attempt any **SIX** questions including **Q.1** which is **COMPULSORY**.
- 2) Q.1 carries 20 marks and other questions carry 12 marks each.

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

- a) Budapest Treaty
- b) International character of patents
- c) Copyright societies
- d) Intellectual property in computer programme
- e) Commercial exploitation and protection
- f) Well known trade marks

Q.2 Elaborate the international character of intellectual property, and narrate the significance of it in economic development of a nation with relevant illustrations.

Q.3 What is the object of a patent law? Write a comparative analysis of the inventions being patentable and the inventions being not patentable under the Patents Act, 1970.

Q.4 Enlist and expound the rights conferred on the owner of patent under the TRIPS Agreement of WTO along with the exceptions to these rights with the help of landmark case laws.

Q.5 Evaluate the approach of European Economic Community regarding intellectual property from international perspective.

Q.6 Elucidate the relation between intellectual property rights and information technology in cyber space with relevant illustrations.

Q.7 State the organs of World Intellectual Property Organization and specify its agreement with World Trade Organization.

Q.8 Comment on disadvantages of intellectual property rights with special emphasis on 'commercial exploitation' and monopoly.

Q.9 State and explain the salient features of Berne Convention for protection of literary and artistic works.

Q.10 Discuss in detail the patentability and non-patentability with some issues and controversies in pertaining to biotechnology.

Subject : Intellectual Property Law - Evolution, Concept and Kinds

Day : Friday
Date : 19/05/2017



Time : 02.30 PM TO 05.30 PM
Max Marks : 80 Total Pages : 1

N.B.:

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

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

- a) Concept of Industrial property
- b) E-Filling of Patent Application
- c) Kinds of Intellectual Property
- d) Bajaj Auto Limited V TVS Motor Company
- e) Rights of Patent Agents
- f) International Copyright

Q.2 "The intellectual property is very wide and it includes literacy and artistic work, films, computer programmer, inventions, designs, marks used by trader for their goods or service." Comment and discuss the significance of intellectual property.

Q.3 "Copyright is a bundle of rights granted to the author; it is residuary in character." Comment and discuss the basic understanding of copyright.

Q.4 Explain the salient features of the World Intellectual Property Organization (WIPO) with reference to Intellectual Property Rights.

Q.5 Discuss the provisions pertaining to 'patent search', 'examination' and 'records' with special reference to Patent Cooperation Treaty (PCT).

Q.6 "International law had great impact on the growth of intellectual property rights in India." Explain the basic need for harmonization of Intellectual Property.

Q.7 "The Agreement on Trade Related to Intellectual Property Rights (TRIPS) is an international agreement administered by the World Trade Organization that sets down minimum standard for many forms of intellectual property regulations as applied to nationals or other WTO members." Comment and discuss the features of WTO.

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

- a) Aim and Agreements of Locarno Agreement
- b) Aims and objectives of Budapest Treaty
- c) EEC and Intellectual Property

Q.9 Examine the silent features of the Berne Convention. Also bring out its difference with the Universal Copyright Conventions.

Q.10 "Paris Convention is the oldest convention on patents" Discuss with special reference to Food Patents in India.