

Subject : Law Relating to Protection and Recognition of Patent

Day : Saturday
Date : 21/05/2011

(S.D.E.)



Time : 10:00 a.m. to 1:00 p.m.
Max Marks : 80

N. B.:

- 1) Attempt any **SIX** questions, including Q. No. 1 is **COMPULSORY**.
 - 2) Q. No. 1 carries 20 marks and other questions carry 12 marks.
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- Q. 1** Write short notes on any **FOUR** of the following:
- a) Special status of patents relating to chemicals
 - b) Patent Law Treaty
 - c) Limitation of restored patents
 - d) Assignments and License
 - e) Doctrine of pith and marrow
 - f) Colorable imitation
- Q. 2** Explain the meaning of patent. Discuss the subject matter which are not patentable invention.
- Q. 3** Critically evaluate the experimentation of the science of biotechnology resulting in the creation of clone of Dolly which has been a subject matter of unusual excitement throughout the world.
- Q. 4** Discuss in detail the steps involved from acquisition and sealing of patents.
- Q. 5** Explain the provision relating to pharmaceutical products with the help of case laws.
- Q. 6** Enumerate the importance of WTO in promotion, recognition and protection of patent rights.
- Q. 7** Critically evaluate the role of judiciary in the protection to infringement of patent rights under the Patent Act, 1970.
- Q. 8** Explain in detail :
- a) Disqualification for registration as a Patent Agent.
 - b) Rights and obligation conferred on patentee.
- Q. 9** "A patent specification is not merely is description of the invention but it is also a technical and legal document". Discuss.
- Q. 10** Write a detail note on revocation and surrender of patent with the help of provisions of Patent Act, 1970.

Subject : Intellectual Property Law - Evolution, Concept and Kinds

Day : Friday

Date : 20/05/2011

(S.D.E.)



Time : 10:00 a.m. to 1:00 p.m.

Max Marks : 80

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- N.B.** 1) Answer 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.
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- Q.1** Write short notes on **ANY FOUR** of the following.
- Purpose, objective and status of the WTO
 - Article 62 of the TRIPS
 - Types of Property
 - patents in nuclear power
 - Features of semiconductor integrated circuits layout Design Act, 2000
 - Commercial exploitation and protection
- Q.2** Explain the term intellectual property and also explain in detail the nature, scope components of intellectual property with the help of latest case laws.
- Q.3** “The TRIPS Agreement for the first time creates a multilateral frame work for enforcement of all intellectual property rights”. Discuss in detail.
- Q.4** Elaborate the principle of territoriality limits the scope of intellectual property rights with the help of EEC Treaty.
- Q.5** Enumerate the impact of intellectual property rules and practices on the health of poor people in developing countries.
- Q.6** ‘Intellectual Property Rights make the discovery of new chemicals and genes more valuable because of the potential benefits that can be realized by exclusive rights to the profit from such discoveries’. Explain in detailed.
- Q.7** Compare the provisions for patentability of computer related inventions in India and USA.
- Q.8** Explain in brief:-
- WTO disputes settlement process
 - Function and Activities of WIPO
- Q.9** Examine the provisions relating to pharmaceutical product innovations in India with the help of latest case laws.
- Q.10** “The Berne convention is the first and most important multilateral treaty specific to copyright and its purpose is the protection of the rights of authors in their literary and artistic work”. Comment.

Subject : Law Relating to Copy Right

Day : Monday

Date : 23/05/2011

(S.D.E.)



Time : 10:00 a.m. to 1:00 p.m.

Max Marks : 80

N. B.:

- 1) Attempt any **SIX** questions including Q. No. 1 is **COMPULSORY**.
 - 2) Q. No. 1 carries 20 marks and other questions carry 12 marks.
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- Q. 1** Write short notes on any **FOUR** of the following:
- a) Neighboring rights
 - b) Television programmes and copyright
 - c) Unjust enrichment and restitution in copyright
 - d) Criminal remedies
 - e) Work of joint authorship
 - f) Distinction between 'Geographical indication' and 'Trade mark'.
- Q. 2** "The object of copyright law is encouraging authors; composer and artist to create original work by rewarding them with the exclusive right for a specified period to reproduced the works for publishing and selling them to public". Discuss.
- Q. 3** Explain in detail the provisions relating to assignment of ownership and licensing of copyright including compulsory licensing in certain circumstance.
- Q. 4** "Piracy has become a global problem due to the rapid advances in technology, it has assumed alarming proportion all over the world and all the countries are trying to meet the challenge by taking stringent legislative and enforcement measures". Comment and suggest suitable remedies to overcome such problems.
- Q. 5** "Geographical indications are all about the culture, geography, tradition, heritage and traditional practices of people and countries". Comment.
- Q. 6** Discuss the provisions pertaining to broadcaster's right and performer's right with the help of WIPO performance and phonogram Treaty, 1996.
- Q. 7** Explain in detail the provisions for the renewal, rectification and restoration of Geographical Indication and authorized users.
- Q. 8** Write note on the following:
- a) Berne Convention
 - b) Universal Copyright Convention.
- Q. 9** Critically evaluate the certain acts which though done by a person other than the owner of copyright would not amount to infringement of the copyright under Copyright Act, 1957.
- Q. 10** Explain the Scope and Need of TRIPS. Elucidate the impact of TRIPS agreement on development of law relating to Geographical Indication in India.

Subject : Law Relating to Trade Marks and Industrial Design

Day : Tuesday

Date : 24/05/2011

(S.D.E.)



Time : 10:00 a.m. to 1:00 p.m.

Max Marks : 80

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- N.B.** 1) Answer 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.
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- Q.1** Write short notes on **ANY FOUR** of the following.
- Joint Trade Mark
 - Paris convention on Industrial Intellectual Property
 - Distinction Between Trade Mark and Property Mark
 - Internet Domain Name
 - Functional Designs
 - Registration of Designs
- Q.2** Explain the scope and need of Trade Mark legislation in India with reference to the Trade Mark Act, 1999.
- Q.3** Enlist the important features of design. and also discuss the different prohibition for registration of Industrial design.
- Q.4** Discuss the meaning of 'Deceptive Similarity' as applicable to infringement of Trade Mark and also bring out the distinction with 'Identical Similarity' through important case laws.
- Q.5** Critically evaluate the cases of piracy with the twin test of 'Fraudulent imitation' and 'Obvious imitation'.
- Q.6** Examine the salient features of Lacarno Agreement which consist of a classification for industrial designs.
- Q.7** Discuss the procedure for registration of Trade Mark and also discuss the absolute grounds of refusal for registration with the help of latest case laws.
- Q.8** Explain in brief:-
- Licensing of Trade Marks and registered users
 - Assignment and transmission of Trade Mark
- Q.9** Critically evaluate the interplay of Intellectual Property Rights and Information Technology with a special note on Cyber Squatting.
- Q.10** The Hague Depository acts only for deposit of Industrial Design globally and for providing global retrieval information. Comment.