

JANJIRA : APRIL/MAY - 2010
SUBJECT: INTELLECTUAL PROPERTY LAW—EVOLUTION, CONCEPT AND
KINDS

Day: Thursday
Date: 27-05-2010

Time: 2:30 P.M. TO 5:30 P.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) Anticipation
- b) Reciprocity
- c) Individual Treatment
- d) Neighbouring Rights
- e) Compulsory Licensing
- f) International Copy Right Order

Q.2 Protection to Intellectual Property Rights is guaranteed as a mark of respect to Moral Rights. Comment in proper perspective

Q.3 Critically evaluate the role played by WTO in protection & enforcement of Intellectual Property Rights.

Q.4 Discuss the important International Principles pertaining to globalization & recognition of Intellectual Property Rights

Q.5 Define Intellectual Property; also explain the characteristic features of different Intellectual Properties with their limitations

Q.6 Highlight the economic impact of Patents on the impoverished masses. Do you think that Patents have no beneficial role for society at large? Substantiate your standpoint with the help of a pragmatic approach.

Q.7 Creativity in the field of Biotechnology has reached a high end by the grant of Patents. Comment

Q.8 The basic difference between Copy Right & Patent lies in the protection of ideas. Examine this statement with the help of illustrations

Q.9 Information Technology has posed a serious problem to Intellectual Property Rights. Suggest suitable measures for coping up with this situation.

Q.10 Write a detail note on Indian position on Process-Product Patents in light of the TRIPS Agreement.

Day: Friday
Date: 28-05-2010

Time: 2:30 P.M. TO 5:30 P.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.
-

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

- a) Paris Convention
- b) Priority Date
- c) Exclusive Marketing Rights
- d) Meaning & Concept of Patents
- e) Examination of Patents
- f) Patents of Addition

Q.2 Today it is seen that India encourages creative activity of people in various field of science and technology. Critically evaluate the efficiency of Patent law in protecting New invention.

Q.3 Patent Law has created awareness among industrial community and intellectuals and has also expanded its ambit. Discuss the impact of TRIPS on special category Patents.

Q.4 Patentee has certain exclusive rights. Do you agree with the statement? Comment.

Q.5 Unless a patent is granted, no protection can be sought in respect of an invention. Do you agree with this statement? Elaborate.

Q.6 Discuss in detail the legal formalities provided under the Patents Act for Transfer of patent

Q.7 The controller is an official under the Patent Act and is vested with certain powers. Discuss.

Q.8 Describe Colourable Imitation and compare it with the Doctrine of Pith and Marrow.

Q.9 Critically analyse the Indian position on Biological process, Biochemical, and Biotechnology as per Patent Act.

Q.10 Write notes on the following:

- a) Patent cooperation Treaty
- b) World Trade Organization.

JANJIRA- : APRIL/MAY - 2010
SUBJECT: LAW RELATING TO COPYRIGHT

Day: Saturday
Date: 29-05-2010

Time: 2:30 P.M. TO 5:30 P.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) Anton Pillar Order
 - b) Remix version
 - c) Reprography
 - d) Dramatic work
 - e) Author
 - f) Adaptation
- Q.2** Critically evaluate the importance of WIPO Copyright Treaty, 1996 in promotion and protection of Copyright in cyberspace.
- Q.3** Copyright is residual in nature. Examine the statement in light of 'moral rights' available to the author of Copyright.
- Q.4** Explain the meaning of 'partial assignment' and 'complete assignment' with the help of examples.
- Q.5** What is primary and secondary infringement? Discuss the principles of deciding infringement with the help of case laws.
- Q.6** What do you mean by 'fair dealing'? Enlist ten cases from your day-to-day life that fall under its purview.
- Q.7** "Geographical indications grant monopoly to the community". Examine this statement so as to highlight its nature & ambit.
- Q.8** What type of protection is granted to computer software under the Copyright Act? Do you think the Copyright Act is effective enough to curb software piracy? Substantiate.
- Q.9** Explain the meaning of first owner with the help of following:
- a) Film Song
 - b) Speech Delivered at College Function.
- Q.10** Copyright subsists in works not ideas. Elucidate.

JANJIRA – APRIL/MAY - 2010

SUBJECT : LAW RELATING TO TRADE MARKS AND INDUSTRIAL DESIGN

Day : Monday
Date : 31-05-2010

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.
-

- Q. 1** Write short notes on **ANY FOUR** of the following:
- a) Reverse Engineering
 - b) Associated Trade mark
 - c) Well Known Trade mark
 - d) Piracy
 - e) Removal of Trade Mark.
 - f) Names of Living Person as a Trade mark
- Q. 2** Critically discuss the Law relating to use of Names of Chemical Elements and International Non-proprietary Names for Registration of Trade Marks.
- Q. 3** Trade Mark is an Intellectual Property dealing with Image and Reputation; In fact it is Goodwill in Commercial sense. Elucidate the functions of Trade marks.
- Q. 4** Critically evaluate the important principles evolved through the International co-operation, at both International and Regional level for the protection of Trade Marks and Designs.
- Q. 5** Comment on Competition, Compatibility and Industrial Scale of production as the three purposes behind Design Protection.
- Q. 6** Can a Mechanical Device or Principle of Construction in two-dimensional and three-dimensional form be registered as a Design? Discuss citing appropriate reasons.
- Q. 7** Comment on the use of Geographical Names and Geographical Indications for Registration of Trade marks.
- Q. 8** Explain the meaning of 'Distinctive feature' and 'Descriptive feature' as precursors to registration of Trade Marks with the help of appropriate cases and illustrations.
- Q. 9** What are the Relative Grounds for Refusal of Registration of Trade Marks? Discuss whether the concept of Honest Concurrent User comes under its purview.
- Q.10** Discuss the Twin Test of 'Identity' and 'Deceptive Similarity' for deciding the infringement of Trade Marks.

* * * *