

Diploma in Intellectual Property Law (D.I.P.L.)(2015 Course) :
WINTER - 2018

SUBJECT: INTELLECTUAL PROPERTY-EVOLUTION, CONCEPT & KIND

Day : Monday
Date : 29/10/2018

W-2018-1706

Time : 02.30 PM TO 05.30 PM
Max. Marks : 80

N.B.:

- 1) Answer any **SIX** question including **Q. No. 1** which is **COMPULSORY**.
 - 2) **Q. No. 1** carries **20** Marks and all other carries **12** marks each.
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- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Bio-piracy & IPR
 - b) *Locarno Agreement*
 - c) Secondary infringement
 - d) International Convention for the Protection of New Varieties of Plants
 - e) Concept of confidential information
 - f) WIPO and role of Internal Service Provider
- Q.2** Elucidate analytically the uses of intellectual property on internet.
- Q.3** Neop Pharma has invented a new drug for curing cancer. It has received approval from FDA in US and also in other countries. Neop Pharma entered into an agreement with an Indian company Zaco Major for marketing the drug in India. Critically weigh up the agreement position with reference to Indian legal stipulations.
- Q.4** "Protection to intellectual property rights is guaranteed as a mark of respect to moral rights." Comment in proper perspective.
- Q.5** Critically evaluate *TRIPS* provisions regarding pharmaceutical patents.
- Q.6** Discuss how Indian legislation relating to intellectual property rights differs from the United States laws with respect to bio-technology patents.
- Q.7** Write a detailed note on essential elements of infringement and the remedies available in case of infringement of intellectual property rights.
- Q.8** "Universal Copyright Convention as compared to Berne Convention had wider acceptability among the nations; and copyright in one country was valid in all the member countries." Explain with illustrations.
- Q.9** "The basic difference between copyright and patent lies in the protection of ideas." Examine this statement with the help of illustrations.
- Q.10** "The author of the work is generally the first owner of copyright." Elaborate with exceptions.

Diploma in Intellectual Property Law (D.I.P.L.)(2015 Course) :
WINTER - 2018

SUBJECT : LAW OF COPYRIGHT AND GEOGRAPHICAL INDICATIONS

Day : Wednesday
Date : 31/10/2018

W-2018-1708

Time : 02.30 PM TO 05.30 PM
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 other carry **12 marks**.
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Q.1 Write short notes on **ANY FOUR** of the following :

- a) Anton Piller Order
- b) Economic and moral Right
- c) Sound recording
- d) Dramatical work
- e) Limitation to the copyright
- f) Internet and Copyright

Q.2 Define 'Author' and 'Owner' discuss the provisions relating to 'Authorship' and 'ownership' of copyright under the copyright Act, 1957.

Q.3 Elaborate the copyright privileges of Broadcasting organization and of performers in India.

Q.4 "An Assignment is in essence a transfer of ownership copyright even if it is partial". Evaluate valid essentials of an assignment.

Q.5 Discuss the powers and procedure and copyright Board.

Q.6 Explain in detail the provisions for renewal, rectification and restoration of geographical indication and authorized users.

Q.7 Explain the concept of fair deal under copyright law.

Q.8 Write a short note of the following :

- a) Preference and indicators
- b) Register of Geographical Indication.

Q.9 'Ubi Jus Ibi Remedium'. Discuss this maxim and explain the certain acts do not amount to infringement of copyright.

Q.10 Explain the meaning of 'Geographical Indication and discuss the salient features of the Paris convention relating to Geographical Indication.

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Diploma in Intellectual Property Law (D.I.P.L.)(2015 Course) :

WINTER - 2018

SUBJECT : LAW OF TRADEMARKS & INDUSTRIAL DESIGNS

Day : Thursday
Date : 01/11/2018

W-2018-1709

Time : 02.30 PM TO 05.30 PM
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 each
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Q.1 Write Short Notes on any **FOUR**:-

- a) Reciprocal Arrangement
- b) Domain Names
- c) Phishing and Infringement of Trademarks
- d) Well Known Trademark
- e) Honest and Concurrent Use
- f) Definition of Design

Q.2 Discuss the procedure for registration of a design.

Q.3 Elaborate the grounds for refusal of registration of Trademark.

Q.4 What are the different types of relief for Infringement of Trademark or Passing Off?

Q.5 Elaborate the provisions relating to Assignment and Licensing of Trademark.

Q.6 Throw some light on the inter relation between Designs and Copyright law of India with respect to the Rights granted to Design holder.

Q.7 What are the essential requirements for the registration of design under the Designs Act, 2000?

Q.8 The tort of Passing Off protects the goodwill of a trader from misrepresentation. Comment with the help of relevant case laws.

Q.9 What are the steps to register a trademark in India?

Q.10 Discuss the functions and essential elements of a Trademark.

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Diploma in Intellectual Property Law (D.I.P.L.)(2015 Course) :

WINTER - 2018

SUBJECT: LAW RELATING TO PROTECTION & RECOGNITION OF PATENT

Day: Tuesday
Date: 30/10/2018

W-2018-1707

Time: 02.30 PM TO 05.30 PM
Max. Marks: 80

N.B.:

- 1) Attempt any **SIX** questions including Q. No.1 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) Ever greening of patent
- b) Biodiversity
- c) Madrid protocol
- d) Pre-grant opposition
- e) IPAB
- f) Hague agreement

Q.2 Explain what is patent, and also discuss the history of legislation in England and India.

Q.3 "Patent is a statutory right and hence certain inventions cannot be patented as they are expressly prohibited by the statute itself". Justify the statement in the light non patentable invention.

Q.4 Write a note on Biotechnology Patent in detail.

Q.5 Elaborate the concept of revocation of patent, and stating in detail the circumstances where a patent is revoked.

Q.6 Discuss to concept of voluntary and compulsory licenses in detail.

Q.7 Explain the concept of plant varieties and essentials required to patent a new plant varieties.

Q.8 Discuss powers and functions of controller of patent.

Q.9 Discuss in detail the rights and obligations of the patentee.

Q.10 Discuss the infringement of patents and to remedies available for the plaintiff in case of infringement of patent.

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Diploma in Intellectual Property Law (D.I.P.L.) (Old Course) :
WINTER - 2018

**SUBJECT: INTELLECTUAL PROPERTY LAW: EVOLUTION,
CONCEPT AND KINDS**

Day : Monday
Date : 29/10/2018

W-2018-1671

Time : 02.30 PM TO 05.30 PM
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.
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Q.1 Write Short notes on **ANY FOUR** of the following :

- a) Neighbouring rights
- b) Unfair competition
- c) Bio-piracy and IPR
- d) Priority date
- e) Colourable imitation
- f) Multiple filings

Q.2 *Neop Pharma* has invented a new drug for curing cancer. It has received approval from FDA in US and also in other countries. *Neop Pharma* entered into an agreement with an Indian company *Zaco Major* for marketing the drug in India. Critically weigh up the agreement position with reference to Indian legal stipulations.

Q.3 Write an elucidatory note on evolution of different intellectual properties and measures for their protection with the help of international conventions.

Q.4 Explain with illustrations how grant of patents hamper and restrict research and development in various fields of technology along with the EEC approach in curbing such restrictions.

Q.5 Critically compare the provisions for patentability of computer related inventions in India and United States of America.

Q.6 Write a detailed note on Indian position on 'Process Product Patents' in the light of *TRIPS Agreement*.

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

Q.8 Discuss analytically the journey of copyright from the First Copyright Statute of 1710 till the date.

Q.9 Highlight the financial impact of patents on impoverished masses. Do you support the argument that patents have no beneficial role for the society at large? Substantiate your standpoint with help of a pragmatic approach.

Q.10 Critically evaluate the salient features of the *Locarno Agreement* regarding classification of industrial designs.

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Diploma in Intellectual Property Law (D.I.P.L.) (Old Course) :
WINTER - 2018

SUBJECT : LAW RELATING TO COPY RIGHT

Day : Wednesday
Date : 31/10/2018

W-2018-1673

Time : 02.30 PM TO 05.30 PM
Max. Marks : 80

N.B.:

- 1) Attempt any **six** question including **Q.1** which is **compulsory**
 - 2) **Q.1** carries **20** marks while rest of the questions carries **12** marks each
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Q.1 Write short notes on **(ANY FOUR)**

- a) Restoration of Indicators
- b) Artistic works
- c) Assignment of copyright
- d) Copyright over internet
- e) Broadcasting rights
- f) Dramatic works

Q.2 Discuss the role of Berne Convention in harmonizing the copyright laws around the world.

Q.3 Explain the nature and scope of copyright laws

Q.4 Discuss the concept of compulsory licensing in respect of copyrights

Q.5 Discuss the concept of author and owner of the copyright in detail

Q.6 Explain the concept of the infringement in detail and also mention the remedies available to plaintiff in the case of infringement

Q.7 Explain the concept of Fair Deal in detail.

Q.8 Discuss the concept of the performer, and state the rights given to them under performer's rights.

Q.9 Explain in detail the concept of indication and discuss its significance

Q.10 Discuss the procedure of registration for indications.

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Diploma in Intellectual Property Law (D.I.P.L.) (Old Course) :

WINTER - 2018

SUBJECT: LAW RELATING TO PROTECTION & RECOGNITION OF PATENT

Day: Tuesday
Date: 30/10/2018

W-2018-1672

Time: 02.30 PM TO 05.30 PM
Max. Marks: 80

N.B.:

- 1) Attempt any **SIX** questions including Q. No.1 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:

- a) Process Patent
- b) PCT
- c) Requirement as to foreign application
- d) Turmeric Case
- e) Novartis Case
- f) Complete Specification

Q.2 'The fundamental principle of patent law is that a patent is granted only for an invention which must be new and useful' Discuss the essential of patentable invention.

Q.3 Explain the role of Budapest Treaty in facilitating the patenting of micro-organisms.

Q.4 Explain in detail the various changes which are recommended by TRIPS to bring Indian law in consonance with International standards.

Q.5 Explain in detail the concept of Infringement of patent with help of recent judgments.

Q.6 Explain the concept of compulsory licenses and the present law in India in the light of Novatis case.

Q.7 Explain the concept of Biotechnology patent and advance the argument for and against the biotechnology patent.

Q.8 Write a short note on:

- a) Procedure for registration as a Patent Agent
- b) Diamond v.Chakroborty

Q.9 Discuss the comparative analysis of position as software patent in USA and India.

Q.10 Explain the concept of plant varieties and essentials required to patent a new plant varieties.

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