

**DIPLOMA IN INTELLECTUAL PROPERTY LAW (D.I.P.L.)(2015
COURSE) : SUMMER - 2018**

SUBJECT : INTELLECTUAL PROPERTY – EVOLUTION, CONCEPT & KIND

Day : **Friday**
Date : **04/05/2018**

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

S-2018-1561

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 note on **ANY FOUR** of the following:

- a) Enactment of Patent Act 1970
- b) Classification of property
- c) Aim and objectives of UCC
- d) Subject matter of Copyright Protection
- e) Service mark
- f) IPR in Information Technology

Q.2 “The term ‘Intellectual Property’ has evolved from the term industrial property which includes patents, industrial designs and trademark.” Explain the need for protection of Intellectual Property and discuss the measures taken by judicial in this regard.

Q.3 “Copyright protects literary works and other forms of works that constitutes expression of ideas like painting etc.” Comment.

Q.4 “TRIPS is a comprehensive regulation it covers copyright, patent, designs, trade secrets, integrated circuits and geographical indications.” Comment and discuss features of TRIPS.

Q.5 “Intellectual Property plays a critical role in fostering dynamic and growing economic progress and the welfare of the world’s citizen because Intellectual Property is a key to successful innovation.” Comment and discuss the need for harmonization of Intellectual Property.

Q.6 Explain the role of WIPO in protecting IPR with specific reference to important conventions administered by WIPO.

Q.7 Explain the salient features of WTO with reference to IPR.

Q.8 Write a note on:

- a) Budapest treaty
- b) Most favoured Nation Treatment

Q.9 Critically evaluate the role played by Berne Convention in promotion and protection of copyright.

Q.10 ‘Paris Convention is the oldest convention on patents’. Discuss with special reference to food patents in India.

DIPLOMA IN INTELLECTUAL PROPERTY LAW (D.I.P.L.)
(OLD COURSE) : SUMMER - 2018
SUBJECT : INTELLECTUAL PROPERTY LAW – EVOLUTION, CONCEPT AND
KINDS

Day : **Friday**
Date : **04/05/2018**

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

S-2018-1530

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

- a) Compulsory license in patent
- b) Patents in nuclear power
- c) Copyright society
- d) International character of patent
- e) Universal Copyright Convention
- f) Patent Co-operation Treaty

Q.2 Explain in detail the concept, nature and scope of intellectual property. Enlist the existing legislation in India relating to intellectual.

Q.3 Write an essay on the historical perspective of law of patents in India along with the salient features of the Patents Act, 1970.

Q.4 Enlist and expound 'patentable and non-patentable subject matter' under the TRIPS Agreement of WTO with the help of landmark case laws.

Q.5 Write an analytical note on evolution of different intellectual properties and their protection with help of key international conventions.

Q.6 Monopolization is an advantage and also a disadvantage of intellectual property. How law solves this conflict between being advantage and disadvantage?

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

Q.8 What is the relation between TRIPS Agreement and Berne Convention? What are the criteria of eligibility for protection of literary and artistic works under the Berne Convention, 1887?

Q.9 Critically evaluate the approach of European Economic Community regarding intellectual property rights.

Q.10 "Information technology has posed a serious problem to intellectual property rights." Suggest suitable measures for coping up with this situation.

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**DIPLOMA IN INTELLECTUAL PROPERTY LAW (D.I.P.L.)(2015
COURSE) : SUMMER - 2018
SUBJECT: LAW OF COPYRIGHT & GEOGRAPHICAL INDICATIONS**

Day: **Monday**
Date: **07/05/2018**

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

S-2018-1563

N.B.:

- 1) Attempt any **SIX** questions including Q. No. 1 which is **COMPULSORY**.
 - 2) **Q. No. 1** carries **20** marks and all other **12** marks each.
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- Q.1** Write short notes on any **FOUR** of the following:
- a) Berne convention
 - b) UCC
 - c) Cinematograph film
 - d) Artistic work
 - e) WIPO copyright Treaty
 - f) Indicator schedule
- Q.2** "Copyright is an Intellectual property right, but not an industrial property right". Justify the statement in the light of nature and scope of copyright.
- Q.3** Explain the need and procedure to register a copyright.
- Q.4** Elaborate the concept of fair deal in detail.
- Q.5** Discuss the concept of author and owner of the copyright and also state when the authors and owners of a copyright may differ.
- Q.6** Explain in detail concept of infringement of copyright and state the remedies available in case of infringement.
- Q.7** Write note son:
- i) Copyright on computer software
 - ii) Performers rights
- Q.8** Explain the concept of Geographical indication in detail.
- Q.9** Elaborate the concept of registration process of geographical indications.
- Q.10** Discuss the remedies available in case of infringement of the Geographical Indications.

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**DIPLOMA IN INTELLECTUAL PROPERTY LAW (D.I.P.L.)(2015
COURSE) : SUMMER - 2018**

SUBJECT: LAW OF TRADEMARKS AND INDUSTRIAL DESIGNS

Day : **Tuesday**

S-2018-1564

Time : **02.30 PM TO 05.30 PM**

Date : **08/05/2018**

Max. Marks : 80.

N.B.:

- 1) Attempt any **SIX** questions in all including Q. No. 1 which is **COMPULSORY**.
 - 2) Q. No. 1 carry 20 marks and all other question carries 12 marks each.
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Q.1 Write short notes on:

- a) Functions of Trademark
- b) Good Trademarks
- c) Deceptive similarity
- d) Privacy of Design
- e) Passing off
- f) Paris convention on trademark

Q.2 "A trademark does not protect ideas, except if the idea has been materialized and fulfills the legal requirement that trademark protection demands." Explain the scope and need of a trademark legislation in India with reference to the Trade Marks Act, 1999.

Q.3 "Trademark may be registered or unregistered. The registration offers prima facie evidence of ownership of trademark." State and explain the importance of registration.

Q.4 Write a detailed note on (a) Honest and Concurrent user (b) Service Mark with relevant case law.

Q.5 Discuss the procedure for assignment and licensing of a trademark.

Q.6 What is infringement of a design? What are the remedies available to a user in case of a registered design?

Q.7 "Industrial designs are what make an article attractive and appealing; hence, they add to the commercial value of a product and increase its marketability." Comment and traced the history and need of Industrial Design Act.

Q.8 Write a note on:

- a) Legal effect and use of Locarno classification
- b) The Hague Agreement concerning the international deposit of industrial designs.

Q.9 Explain in detail the concept of infringement of trademark and defenses available in an infringement action.

Q.10 Explain the impact of TRIPS agreement and development of law relating to trademark and industrial design in India.

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DIPLOMA IN INTELLECTUAL PROPERTY LAW (D.I.P.L.)
(OLD COURSE) : SUMMER - 2018
SUBJECT: LAW RELATING TO COPY RIGHT

Day : **Monday**
Date : **07/05/2018**

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

S-2018-1532

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

- a) Dramatic works
- b) Literary works
- c) Copyright societies
- d) Computer program
- e) Performer right
- f) Artistic work

Q.2 Discuss the nature and scope of copyright in detail.

Q.3 'The copyright not an industrial property and hence there is no need of registration of copyright but still the same is advised.' Justify the statement and also mention the procedure for registration of copyright.

Q.4 Explain in detail when the licenses in respect to copyright can be granted.

Q.5 Write note on

- a) Copyright Board
- b) Indicator schedule

Q.6 Any encroachment on exclusive right of copyright owner, without his consent, which would otherwise be an infringement will not amount to infringement, if the said encroachment is protected by Law". Comment citing the instances.

Q.7 Discuss the protection afforded by geographical indication and also state the term.

Q.8 Explain the concept of infringement in detail and also state the remedies available for plaintiff in case of infringement.

Q.9 Explain the necessity of economic right and moral rights and state how they can be exploited.

Q.10 Explain the offences under the Geographical Indications and state how the offender can be punished under the said offence.

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**DIPLOMA IN INTELLECTUAL PROPERTY LAW (D.I.P.L.)(2015
COURSE) : SUMMER - 2018
LAW RELATING AND PROTECTION AND RECOGNITION OF PATENT**

Day: **Saturday**
Date: **05/05/2018**

S-2018-1562

Time: **02.30 PM TO 05.30 PM**
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 each.
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- Q.1** Write short notes on **ANY FOUR** of the following:
- a) EPO
 - b) Budapest treaty
 - c) Patent in addition
 - d) Dolly case
 - e) Significant features of Plant Varieties and Farmers Right Act
 - f) PCT
- Q.2** Discuss the inventions which are not patentable.
- Q.3** Explain the term specifications in details and also state the significance of Provisional specifications and complete specification.
- Q.4** Elaborate the pre-grant and post Grant opposition and also state the grounds of the opposition which can be taken to oppose the claim of patent.
- Q.5** Explain the concept of compulsory licensing of patent, and also mention the factors to be taken into account, by the controller while granting or refusing the compulsory licenses.
- Q.6** Explain the right and duties of patent holder.
- Q.7** Write notes on:
- a) IPAB
 - b) Paris conventions.
- Q.8** Explain the concept of pharmaceutical patents and also state the problem of ever greening of Patents.
- Q.9** Discuss the concept of infringement of patents and state the remedies of patents.
- Q.10** Elaborate the amendment of 2005, Act in consonance with TRIPS, and its effects on developed and nations.

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DIPLOMA IN INTELLECTUAL PROPERTY LAW (D.I.P.L.)
(OLD COURSE) : SUMMER - 2018
SUBJECT : LAW RELATING TO TRADE MARKS & INDUSTRIAL DESIGN

Day : **Tuesday**
Date : **08/05/2018**

S-2018-1533

Time : **02.30 PM TO 05.30 PM**
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.

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- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Original under the Designs Act, 2000
 - b) Doctrine of Fiduciary Relationship
 - c) Shape, size and colours as trade mark
 - d) Consumerism
 - e) GATT
 - f) Cancellation of registration of a design
- Q.2** State, explain and analyse the scope, need and utility of trade marks legislation in India with special reference to the Trade Marks Act, 1999.
- Q.3** Give an elaborative assessment of 'infringement of a trade mark'. Explain in detail remedies available in case of infringement of it.
- Q.4** "The design must appeal to and to be judged solely by the eye." Elucidate and elaborate the essentials of a design.
- Q.5** Explain the provisions of Locarno Agreement for establishing an international classification for industrial designs. State whether India is a member of the agreement or not.
- Q.6** Discuss the law relating to 'Certification Trade Mark' with the help of relative case laws.
- Q.7** "'Passing off' is said to be a species of unfair trade competition." Critically evaluate and enumerate the remedies available under the law.
- Q.8** Critically evaluate the cases of piracy with the Twin Test of Fraudulent Imitation and Obvious Imitation.
- Q.9** Examine critically the provisions of TRIPS agreement relating to trade marks and industrial design.
- Q.10** Evaluate critically the concepts of 'Trade Marks in Part' and 'Trade Mark in Series' with the help of illustrations from day to day life.