

DIPLOMA IN INTELLECTUAL PROPERTY LAW (2015 COURSE)

D.I.P.L. :SUMMER : 2023

SUBJECT : INTELLECTUAL PROPERTY -EVOLUTION, CONCEPT & KIND

Day : Thursday

Time : 10:00 AM-01:00 PM

Date : 1/6/2023

S-14842-2023

Max. Marks : 80

N.B.:

- 1) Answer **ANY SIX** questions including **Q. No. 1** which is **COMPULSORY**.
- 2) Question **No. 1** carries **20** marks and **all other** questions carries **12** marks each.

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Objectives of the International Union for the Protection of New Varieties of Plants (UPOV).
 - b) Provisions for International Patent Application under Patent Co-Operation Treaty.
 - c) Patent in nuclear power.
 - d) Madrid protocol.
 - e) Fair use of copyrighted work.
 - f) Role of WTO in harmonisation of Intellectual property.
- Q.2** "Producers of phonograms shall enjoy the right to authorize or prohibit the direct or indirect reproduction of their phonograms". Explain the above statement in the light of Article 14 of TRIPS.
- Q.3** "Computer programs are protected as literary works within the meaning of Article 2 of the Berne convention". Elucidate with the help of WIPO Copyright Treaty and Berne Convention.
- Q.4** Write a detailed note on three conditions under which member countries can have limitations or exceptions to the exclusive rights of the copyright holder according to the TRIPS Agreement.
- Q.5** Explain the procedure for registration of Trade Mark under TRIPS Agreement.
- Q.6** Explain the "concept of originality" laid down in the *L.B. Plastics case*. Also explain relevant provisions.
- Q.7** Does grant of patents hamper research and development in technology? What is the approach taken the EEC in curbing such restrictions?
- Q.8** "Locarno Agreement establishes a classification for industrial designs." Explain its salient features critically.
- Q.9** "All countries party to the Budapest Treaty are obliged to recognise micro-organisms deposited as a part of the patent procedure, irrespective of where the depository authority is located." Discuss in detail the relevant provisions.
- Q.10** Describe in detail the provisions relating to copyright under UCC and WIPO.

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DIPLOMA IN INTELLECTUAL PROPERTY LAW (2015 COURSE)
D.I.P.L. :SUMMER : 2023
SUBJECT : LAW RELATING TO PROTECTION & RECOGNITION OF PATENT

Day : Friday

Time : 10:00 AM-01:00 PM

Date : 2/6/2023

S-14843-2023

Max. Marks : 80

N.B.:

- 1) Attempt **ANY SIX** questions and **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) Patent in addition
 - b) Rights of Patentees on restoration
 - c) PCT
 - d) Post grant opposition
 - e) Process patent
 - f) Turmeric case
- Q.2** Discuss the concept of patent and also state the necessity to harmonise the patent law in various counters.
- Q.3** Explain in detail the concept of ever greening of patents.
- Q.4** Discuss the need of registration of patent and its effects.
- Q.5** Write a note on revocation of patent.
- Q.6** Explain in detail complete and provisional specification.
- Q.7** Elaborate the concept of biotechnology patent in light of Diamond v. Chakraborty case.
- Q.8** Write a note on software patent.
- Q.9** Explain the rights and duties of patentee in case of nuclear patent.
- Q.10** Elaborate the position of food and drug patent in India before and after the amendment of 2005.

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DIPLOMA IN INTELLECTUAL PROPERTY LAW (2015 COURSE)
D.I.P.L. :SUMMER : 2023
SUBJECT : LAW OF COPYRIGHT & GEOGRAPHICAL INDICATIONS

Day : Saturday

Time : 10:00 AM-01:00 PM

Date : 3/6/2023

S-14844-2023

Max. Marks : 80

N.B.

- 1) Attempt **ANY SIX** questions including Q.No. 1 which is **COMPULSORY**.
 - 2) Q.No. 1 carries 20 marks, while other questions carry 12 marks each.
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Q.1 Write short notes (**any four**):-

- a) WIPO copyright treaties
- b) Protection of neighboring rights
- c) Internet and copyright
- d) Copyright protection for title and characters
- e) Cinematograph films
- f) Anton pillar order

Q.2 'Copyright is a negative right' – justify the statement in light of its nature and scope.

Q.3 Explain the development of law relating to copyright in England and India.

Q.4 Discuss the concept of author and owner of copyright in detail. Also state the circumstances where author and owner of the copyright relating to the same work may differ.

Q.5 Elaborate the concept of performer, as per the recent amendment. State who are classified as the performers as per the said amendment.

Q.6 Write a note on regulation of digital copyright in India.

Q.7 Explain the concept of fair deal in detail and state how the same is a reasonable restriction on the right of copyright owner.

Q.8 Write a note on licensing of copyright.

Q.9 Explain the concept of Geographical Indications in detail.

Q.10 State the procedure of registration of geographical indications and state the effect of registration.

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DIPLOMA IN INTELLECTUAL PROPERTY LAW (2015 COURSE)
D.I.P.L. :SUMMER : 2023
SUBJECT : LAW OF TRADEMARKS & INDUSTRIAL DESIGNS

Day : Monday

Time : 10:00 AM-01:00 PM

Date : 5/6/2023

S-14849-2023

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) Doctrine of Honest and Concurrent users
- b) Associate marks
- c) Grounds of refusal of trademark
- d) Service marks
- e) Offences and penalties under Designs Act, 2000
- f) Meaning of designs

Q.2 Explain the trademarks and rights arising from trademark registration.

Q.3 Discuss the procedure meant for registering a trademark.

Q.4 Describe in detail about the essential requirements for registration of Industrial designs in India.

Q.5 Explain the preventive measures and remedies applicable for the infringement of Trademarks.

Q.6 Discuss the procedure for assignments and transmission of trademarks.

Q.7 What is meant by passing off trademarks and discuss the consequences of the same?

Q.8 What do you mean by piracy of registered Designs?

Q.9 Critically evaluate the salient features of Designs Act, 2000.

Q.10 Write notes on:

- a) Features of good trademarks
- b) Design as an Industrial Property

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