

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-2021 COURSE)

LL.B. Sem - V : WINTER : 2024

SUBJECT: INTELLECTUAL PROPERTY LAW

Day : Tuesday
Date : 12/11/2024

W-25019-2024

Time : 10:00 AM-12:30 PM
Max. Marks : 60

N.B.

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 A) *Pratik* had an idea of a storyline for the purpose of writing a fiction book. (12)
However, before he could start with the manuscript, he wrote a concept note, in which he briefly discussed the storyline and characters. Discuss the subject matter in which copyright subsists and also discuss whether *Pratik* will have copyright in the concept note with the help of relevant cases.

OR

Q.1 B) *Rahul* runs an instagram store. He has been using 'Superb Quality' as his trade mark for the sale of his product. He has been using the Trade Mark for 6 years and has also earned a reputation in the market. Now, he wants to register his trade mark. Comment whether his trade mark can be registered and state the procedure as per the Trade Marks Act, 1999. (12)

Q.2 A) 'The Patents Act, 1970 protects invention'. Discuss the subject matter of patents under the Patents Act, 1970. (12)

OR

Q.2 B) Who is a Patentee under the Patents Act, 1970? Elaborate on his rights and obligations. (12)

Q.3 A) 'The Berne Convention plays a pivotal role in the protection of Intellectual Property at International Level.' Discuss (12)

OR

Q.3 B) Define and distinguish between infringement of Trade Mark and passing off of Trade Mark under the Trade Marks Act, 1999. (12)

Q.4 A) 'TRIPS lays down the minimum standard of protection to be offered by a state to Intellectual Property.' Discuss. (12)

OR

Q.4 B) 'Copyright gives the owner the exclusive rights in the work.' Enlist and enumerate the rights of the owner of copyright under the Copyright Act, 1957. (12)

Q.5 A) Write short notes on the following : (12)
i) Sui Generis
ii) Piracy of Designs

OR

Q.5 B) Write short notes on the following : (12)
i) Patent of Addition
ii) Geographical Indications with examples
