

B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)

B.A. LL. B. Sem - X : SUMMER : 2024

SUBJECT: INTELLECTUAL PROPERTY LAW

Day : Thursday
Date : 18/04/2024

S-12513-2024

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) Explain the role of various International instruments in harmonizing the laws of Intellectual Property of various countries.

OR

B) Discuss the concept of Patents and also state the significance and the essentials in order to obtain Patents.

Q.2 A) Elaborate the concept on biotechnology patent and also state how the biotechnology can help in advancement in human life.

OR

B) Discuss the relative and absolute grounds of refusal of trademark.

Q.3 A) Explain the necessity of registration of trademark and also state the procedure for registration of trademark.

OR

B) Explain in detail the concept of designs and state the essential for registration of designs under Designs Act 2000.

Q.4 A) 'Piracy is only way to infringe a registered design' Justify the statement in the light of infringement of designs.

OR

B) Explain in detail the concept of infringement of copyrights and also state the remedies available to plaintiff in case of infringement.

Q.5 A) i) Discuss the facts and *ratio decidendi* in case of *Bayer v. Natco*.

ii) 'Mr A' wrote poems had never copyrighted the same. 'Mr A' had three sons, 'Mr B' 'Mr. C', & 'Mr. D' After death of 'Mr. A', 'Mr. B' and 'Mr C' approached a Publisher 'Mr P' and stated that they were sons of Mr A and that they were desirous of publishing the poems written by their deceased father. The price was negotiated and 'Mr. P' after paying the royalty published the poems. Royalty was distributed to 'Mr. B' and 'Mr.C'. 'Mr.D' was neither informed nor paid anything. When 'Mr. D' came to know about the said transaction he sued his brothers as well as the publisher for copyright infringement. Predict the outcome of the case

OR

B) i) Discuss the facts and *ratio decidendi* in the case of *University Oxford v. Rameshwar photocopy service*.

ii) 'ABC' company was engaged in selling lemon juice. The lemon juice, they sold was in a container which was shapped as lemon. However 'ABC' company had not taken the trademark of the said container, PQR' also entered into the business of selling lemon juice subsequently. They also used similar container. 'ABC' company sued 'PQR company for passing off predict the outcome of the case.

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