

Day : Wednesday

Date : 16/10/2024

W-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) 'The Patents Act, 1970 protects invention'. State with the help of relevant cases what are patentable subject matter, under the provisions of the Patents Act, 1970?

OR

Q. 1 b) 'One of the limitation to the rights of a patentee is Compulsory License.' Discuss the provisions with respect to compulsory license under the Patents Act, 1970.

Q. 2 a) Define and distinguish between 'Infringement' of Trade Marks and 'Passing off' of Trade marks.

OR

Q. 2 b) 'TRIPs lays down the minimum standard of protection to be offered by a State to an Intellectual Property.' Discuss.

Q. 3 a) 'Copyright gives the owner the exclusive rights in the work.' Enlist the rights of the owner of copyright under the Copyright Act, 1957.

OR

Q. 3 b) 'Geographical Indications are community rights'. Define Geographical Indications and further, discuss the registration process under the Geographical Indications of Goods (Registration and Protection) Act, 1999.

Q. 4 a) Elucidate the concept of trade secret. Further, state the position of law relating to trade secrets in India.

OR

Q. 4 b) Discuss the salient features of the Designs Act, 2000.

Q. 5 a) i) Discuss the facts and ratio in the case *R. G. Anand vs. Delux Films and ors.*
ii) 'A' invents a vaccine, which is a micro-organism. 'A' now wants to protect his invention under the Patents Act, 1970. Can A's invention be patented? Discuss the status of biotechnology patents in India.

OR

Q. 5 b) i) State the facts and ratio in the case *Bayer vs. Natco.*

ii) Sahil wants to start a restaurant. He wants to register his restaurant under the Trade Mark 'Tasty Bites'. He has now approached you as an Attorney. Advise Sahil.

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