

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

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

SUBJECT: INTELLECTUAL PROPERTY LAW

Day : Thursday
Date : 18/04/2024

S-12574-2024

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) Who is Patentee? Discuss the rights, duties and limitations to the rights of a Patentee. (12)

OR

Q.1 B) Define a Trade Mark? Further, state the registration process of a Trade Mark under the Trade Marks Act, 1999. (12)

Q.2 A) Define Geographical Indications. Explain Infringement of Geographical Indications and also state the remedies available against infringement. (12)

OR

Q.2 B) 'Copyright infringement is the use or production of copyright protected material without the permission of the copyright holder'. Discuss what does not amount to copyright infringement under the Copyright Act, 1957. (12)

Q.3 A) 'Trade Secrets are a kind of Intellectual Property'. Analyze the concept of Trade Secrets and elaborate on how Trade Secrets are protected in India. (12)

OR

Q.3 B) Explain the concept of Piracy of Designs as laid down under the Designs Act, 2000, with the help of relevant cases. Further, state the different remedies available for Piracy of Designs. (12)

Q.4 A) 'Attaining patents for inventions in Biotechnology is still a daunting task in nations such as India'. Critically analyze the position of Biotechnology Patents in India. (12)

OR

Q.4 B) 'The TRIPs Agreement is a minimum standards agreement, which allows members to provide more extensive protection of Intellectual Property if they so wish'. Explain. (12)

Q.5 a) Write a short note on Ever-Greening of Patents. (06)

b) Pratik has an idea of a storyline for the purpose of writing a fictional novel. 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. (06)

OR

Q.5 a) Write a short note on Patent Co-operation Treaty. (06)

b) XYZ Ltd. is using 'XYZ' as its Trade Mark for the sale of its products in the market. XYZ Ltd. has not registered the trade mark under the Trade Marks Act, 1999, however it has acquired reputation in the market. Further, one ABC Ltd. also started manufacturing and selling similar products as that of XYZ Ltd. with identical trade mark XYZ. What action can XYZ Ltd. take against ABC Ltd. and also discuss the remedies available to XYZ Ltd. (06)