

Diploma in Intellectual Property Law (D.I.P.L.)(2015 Course) :
SUMMER - 2019

SUBJECT: INTELLECTUAL PROPERTY-EVOLUTION, CONCEPT & KIND

Day : Friday
Date : 03/05/2019

S-2019-1931

Time : 02.00 PM TO 05.00 PM
Max. Marks : 80

N.B.:

- 1) Answer any **SIX** question including **Q. No. 1** which is **COMPULSORY**
- 2) **Q. No. 1** carries **20** Marks and all other carries **12** marks each.

Q.1 Write Short notes on **ANY FOUR** of the following

- a) Geographical indications and bio-technology
- b) Use of foreign trade marks in India
- c) Primary infringement
- d) History of Berne Convention
- e) Most Favoured Nation Treatment
- f) Commercialization of intellectual property

Q.2 Explain in detail the concept of intellectual property. Clarify the nature, scope and categories of it in aid with relevant illustrations.

Q.3 A person has invented a robotically operative industrial vacuum device. Explain what type of intellectual property right can be claimed by him so as to benefit from the extent and ambit of intellectual property laws.

Q.4 Explain the scope of intellectual property under the Paris Convention for the Protection of Industrial Property, 1967 along with the major features of the Convention.

Q.5 "Monopolization is an advantage and also a disadvantage of intellectual property." How law solves this conflict between being advantage and disadvantage?

Q.6 Explain with relevant illustrations role of World Intellectual Property Organization in resolution of domain name disputes.

Q.7 "International documents and understanding have paved way for modern day intellectual property rights." Analyze the statement.

Q.8 "Intellectual property is the part of the global trade regime." Illustratively explain with the help of *TRIPS Agreement*.

Q.9 "Intellectual property is a creation of human mind and his unfair trade practices are associated with it." Discuss the statement with the help of provisions of United Nations relating to unfair trade practices of IPR.

Q.10 Explain with illustrations how grant of patents hamper and restrict research and development in various fields of technology along with the European Economic Community approach in curbing such restrictions.

Diploma in Intellectual Property Law (D.I.P.L.) (Old Course) :
SUMMER - 2019
SUBJECT: INTELLECTUAL PROPERTY LAW: EVOLUTION,
CONCEPT AND KINDS

Day : Friday
Date : 03/05/2019

Time : 02.00 PM TO 05.00 PM
Max. Marks : 80

S-2019-1896

N.B.:

- 1) Attempt any **SIX** questions including **Q.No.1** which is **COMPULSORY**.
- 2) **Q.No.1** carries 20 marks and all other questions carry **12** marks each.

- Q.1** Write Short notes on **ANY FOUR** of the following
- a) Compulsory license in patent
 - b) Patent in nuclear power
 - c) Copyright society
 - d) International character of patents
 - e) Universal Copyright Convention
 - f) *Patent Co-operation Treaty*
- Q.2** Explain in detail concept, nature and scope of intellectual property. Enlist the existing legislation in India relating to intellectual property.
- Q.3** Write an essay on the historical perspective of law of patents in India along with the salient features of the Patent Act, 1970.
- Q.4** Enlist and expound patentable and non-patentable subject matter under the *TRIPS Agreement* of WTO with the help of landmark case laws.
- Q.5** Write an analytical note on evolution of different intellectual properties and their protection with help of key international conventions.
- Q.6** “Monopolization is an advantage and also a disadvantage of intellectual property.” How law solves this conflict between being advantage and disadvantage?
- Q.7** State the functions of World Intellectual Property Organization, and specify its agreement with World Trade Organization.
- Q.8** What is the relation between *TRIPS Agreement* and Berne Convention? What are the criteria of eligibility for protection of literary and artistic works under the Berne Convention, 1887?
- Q.9** Critically evaluate the approach of European Economic Community regarding intellectual property, and examine analytically the principles of territoriality limits of intellectual property rights.
- Q.10** “Information technology has posed a serious problem to intellectual property rights.” Suggest suitable measures for coping up with this situation.

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Diploma in Intellectual Property Law (D.I.P.L.)(2015 Course) :

SUMMER - 2019

SUBJECT : LAW OF COPYRIGHT AND GEOGRAPHICAL INDICATIONS

Day : Thursday

Time : 02.00 PM TO 05.00 PM

Date : 09/05/2019

S-2019-1933

Max. Marks : 80

N. B. :

- 1) Attempt **ANY SIX** questions including **Q. No.1** which is **COMPULSORY**.
 - 2) **Q.No. 1** carries **20 marks** and other carry **12 marks**.
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Q.1 Write short notes on **ANY FOUR** of the following :

- a) Author and ownership of copyright
- b) Anton piller order
- c) Limitation to the copyright
- d) Sound Recording
- e) Rights and liabilities of copyright society
- f) Economic and Moral Right

Q.2 "Register of copyright is prima facie evidence of the particulars entered therein and shall be admissible in all courts". Comment and discuss the advantages of registration of copyright.

Q.3 Elaborate the copyright privileges of Broadcasting organization and of performers in India.

Q.4 Explain the concept of assignment and licenses of copyright.

Q.5 "The term of copyright varies according to the nature of work" discuss the concept of term of copyright in published literary, dramatic, musical, artistic work and others under the copyright Act.

Q.6 Explain the concept of fair deal under copyright law.

Q.7 Discuss the powers and procedure and copyright Board.

Q.8 Write a short note of the following :

- a) Potential benefits of Geographical Indication
- b) Renewal and duration of Geographical Indication

Q.9 Explain the essential ingredients of infringement and remedies available under the copyright Act, 1957

Q.10 Discuss the salient features of 'Geographical indication of goods (Registration and Protection) Act. 1999 along with distinction between 'Geographical Indication and collective marks'.

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Diploma in Intellectual Property Law (D.I.P.L.)(2015 Course) :
SUMMER - 2019

SUBJECT : LAW OF TRADEMARKS & INDUSTRIAL DESIGNS

Day : Tuesday
Date : 07/05/2019

Time : 02.00 PM TO 05.00 PM
Max. Marks : 80

S-2019-1934

N.B.:

- 1) Attempt ANY SIX Questions including Q No. 1 is **COMPULSORY**.
- 2) Q. No. 1 carries 20 marks and other questions carry 12 marks each

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- Q.1** Write Short Notes on any **FOUR** :-
- a) TRIPS and Trademark
 - b) S. 2(d) of Designs Act, 2000
 - c) Difference between Mark and Trademark
 - d) Novelty and Originality under Designs
 - e) Collective Trademark
 - f) Overlapping of Copyright and Designs Law in India
- Q.2** What are the essential elements of a Trademark?
- Q.3** How to determine the question of identical similarity and deceptive similarity of two marks? Explain with the help of relevant case laws.
- Q.4** Elaborate the various civil and criminal remedies available for infringement of Trademark in India.
- Q.5** “A man is not to sell his own goods under the pretence that they are the goods of another man.” Comment.
- Q.6** Discuss the process for the registration of a Trademark.
- Q.7** Critically evaluate the conditions for the registerable design.
- Q.8** Infringement of a copyright in design is termed as ‘Piracy of a registered design’. Comment.
- Q.9** Discuss the rights and obligations of a Trademark holder.
- Q.10** Write a detailed note on the “Doctrine of Honest and Concurrent User”.

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Diploma in Intellectual Property Law (D.I.P.L.) (Old Course) :
SUMMER - 2019

SUBJECT : LAW RELATING TO COPY RIGHT

Day : Thursday
Date : 09/05/2019

S-2019-1898

Time : 02.00 PM TO 05.00 PM
Max. Marks : 80

N.B.:

- 1) Attempt any **six** question including **Q.1** which is **compulsory**
 - 2) **Q.1** carries **20** marks while rest of the questions carries **12** marks each
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Q.1 Write short notes on **(ANY FOUR)**

- a) Literary works
- b) Computer program
- c) Concept of performer
- d) Compulsory licensing in case of copyrights
- e) Term of copyright
- f) Joint owner

Q.2 Explain the WIPO and UCC conventions in detail

Q.3 Trace the history of the copyright laws in England and India.

Q.4 Discuss the necessity of the registration of the copyright and the procedure for the same.

Q.5 Explain in detail the concept of moral rights and economic rights in detail and throw light on the significance of moral rights.

Q.6 Elaborate the issues that spring up in copyrighting the content over the internet.

Q.7 Explain the concept of piracy and distinguish it from the infringement of copyright.

Q.8 In some cases there is an encroachment over the exclusive rights of the copyright owner without his consent, however the said encroachment is protected by the law and hence does not amount to infringement - explain

Q.9 Discuss the preference schedule in detail

Q.10 Explain the offences relating the infringement of geographical indications in detail

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Diploma in Intellectual Property Law (D.I.P.L.)(2015 Course) :

SUMMER - 2019

SUBJECT: LAW RELATING TO PROTECTION & RECOGNITION OF PATENT

Day: Saturday
Date: 04/05/2019

S-2019-1932

Time: 02.00 PM TO 05.00 PM
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) Process patent
 - b) Complete Specification
 - c) TRIPS
 - d) Priority Date
 - e) Patent in addition
 - f) Cloning of dolly and its legal effects
- Q.2** Discuss the concept of patent, and also state the necessity to harmonize the patent laws of various countries.
- Q.3** Elaborate the invention which are non-patentable and state the reason as to why the same cannot be patented.
- Q.4** Explain in detail the rights and obligations of patent holder.
- Q.5** Discuss the concept of compulsory licenses in detail and also state the leading case laws.
- Q.6** Write a note on revocation of Patent.
- Q.7** Discuss the need to register the patent and also explain the procedure for registration and effect of registration of patent.
- Q.8** Explain the position of software patent in India in detail.
- Q.9** Discuss the concept of infringement of patent and discuss the remedies in case of infringement.
- Q.10** Write a note on biotechnology patent.

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Diploma in Intellectual Property Law (D.I.P.L.) (Old Course) :
SUMMER - 2019

SUBJECT: LAW RELATING TO PROTECTION & RECOGNITION OF PATENT

Day: Saturday
Date: 04/05/2019

S-2019-1897

Time: 02.00 PM TO 05.00 PM
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.

- Q.1** Write short notes on any **FOUR** of the following:
- a) Revocation of Patent
 - b) TRIPS
 - c) Pre-grant opposition
 - d) Product Patent
 - e) Rights on Patentees on restoration
 - f) Patent-in -Addition
- Q.2** Explain the rights, duties, and liabilities of patentee in case of nuclear patent.
- Q.3** Explain the need for registration of patent and also state the procedure for its registration
- Q.4** 'The patent Co-operation Treaty is the strongest International object for patents' Elucidate
- Q.5** Define the term 'Infringement' and Explain what the remedies available against Infringement of patents.
- Q.6** Discuss the concept of compulsory licenses in detail and state the landmark case laws.
- Q.7** 'The development of genetic resources of biodiversity is known as biotechnology patent. Discuss in detail.
- Q.8** Write a short note on:
- a) Cloning of Dolly and its legal effects
 - b) Rights and Obligations conferred on patentee
- Q.9** Write a note on revocation of patent with the help of recent case laws.
- Q.10** Elaborate the position of product patent of food and drugs in India before and after the Amendment of 2005.

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Diploma in Intellectual Property Law (D.I.P.L.) (Old Course) :
SUMMER - 2019
SUBJECT: LAW RELATING TO TRADE MARKS AND INDUSTRIAL DESIGN

Day : Tuesday
Date : 07/05/2019

Time : 02.00 PM TO 05.00 PM
Max. Marks : 80

S-2019-1899

N.B.:

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

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- Q.1** Write a Short Notes on ANY FOUR of the following :
- a) Word mark
 - b) Distinctiveness, distinctive character and capable of distinguishing
 - c) Improper/illegal registration
 - d) Ghost marks
 - e) Passing off and Misrepresentation connection
 - f) Unfair trading and trademark protection
- Q.2** “A registered trade mark can be protected against unauthorized use by others by an action for infringement” Discuss the concept of Trademark and What is good trademark for registration.
- Q.3** “Where a design is functional, but it also contains features of shape that appeal to the eye in addition to or supplementary to the function, it may be registrable.” Discuss and enumerate the provisions relating to registration of design.
- Q.4** Write a detail note on ‘Grounds for rectification’.
- Q.5** Discuss the protection of trade mark through international registration with the reference of section 36A-36G of the Trade Mark Act, 1999..
- Q.6** Define “Word marks”. Elaborate the different types of trademarks which are available under the Trademark Act, 1999.
- Q.7** Elaborate the basic principles of registration of trademark under the Trademark Act, 1999.
- Q.8** “When a person applies to goods a trademark belonging to another person without the assent of the proprietor of that mark he is deemed to falsely apply the mark.” Discuss in detail the provisions relating to ‘falsely apply a trademark’ and penalties for it.
- Q.9** Define “Passing Off” Discuss the differences between ‘Passing off’ and ‘infringement’ under the Trademark Act,1999.
- Q.10** Write a detail note on ANY TWO of the following :
- a) Aim and objectives of the Paris Convention
 - b) Important provisions of Hague Agreement,1960
 - c) Lacarno Agreement and Trademark

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