

SUBJECT: LAW RELATING TO TRADE MARKS AND INDUSTRIAL DESIGN

Day: Wednesday
Date: 16-05-2007

Time: 2:30 p.m. to 5:30 p.m.
Maximum Marks: 80

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- N.B.:** 1) Answer 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.
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- Q.1** Write short notes on ANY FOUR of the following.
- Certification mark
 - Essentials of design
 - Distinctiveness
 - Difference between interior and industrial design
 - Provision of service marks under GATS agreement of WTO.
 - Combination of designs
- Q.2** Explain the scope and need of a trade mark legislation in India with reference to the Trade Marks Act, 1999.
- Q.3** What is industrial design? What is the similarity between a trademark and as industrial design? Give examples of industrial designs with recent case laws.
- Q.4** What is infringement of a design? What are the remedies available in case of infringement?
- Q.5** What are the concepts of 'distinctiveness' and 'deceptive similarity' in a trademark? Give recent cases of deceptive similarity.
- Q.6** Explain the Lacarno Agreement . Also mention whether India has ratified, and if yes, what changes are made in the concerned law pertaining to design.
- Q.7** Does the TRIPS Agreement speak about trademark? If yes, state the provision and explain its effect on Indian Law.
- Q.8** The Hague Depository acts only for deposit of industrial designs globally and for providing a global retrieval information. Comment.
- Q.9** Explain in brief:-
- Common law trade marks.
 - Use of foreign trade mark in India.
- Q.10** Explain Design Rules, 2001 in brief.

JANJIRA : APRIL/ MAY 2007
SUBJECT : INTELLECTUAL PROPERTY LAW-EVOLUTION,
CONCEPT AND KINDS

Day : Wednesday
Date : 09/05/2007

Time : 2.30 PM TO 5.30 PM
Max. Marks : 80.

N.B.:

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

- Q. 1 Write short notes on any **FOUR** of the following:
- a) Copyright society
 - b) Non-patentable invention
 - c) Industrial property
 - d) Rights of broadcasting organization
 - e) Unfair competition
 - f) TRIPS
- Q. 2 Intellectual property is not an absolute right certain reasonable restriction are imposed on them. Explain the extent of rights and the limitations imposed on it.
- Q. 3 Explain the salient features of Copyright Act, 1957.
- Q. 4 Critically evaluate the EEC approach of intellectual property from international perspective.
- Q. 5 Write notes on the following:
- a) Biotechnology
 - b) Industrial design
- Q. 6 Elucidate the important features of WTO with reference to intellectual property rights.
- Q. 7 What is Geographical indications and distinguish it from trade mark.
- Q. 8 Which inventions are patentable and what kinds of rights are available to the patentee.
- Q. 9 Define the trade mark and explain in detail the procedure for registration of trade mark.

Day : Friday
Date : 11/05/2007

Time : 2:30 p.m. to 5:30 p.m.
Max. Marks : 80

N.B.

- 1) Attempt any **SIX** questions including Q.1 which is compulsory.
 - 2) **Q.1** carries 20 marks and all other questions carry 12 marks.
-

- Q.1** Write short notes on any four of the following:
- a) Nuclear and Defense Patents
 - b) Food and Pharmaceutical Patents
 - c) Patent co-operation Treaty 1970
 - d) Patent addition
 - e) Licenses. of Right
- Q.2** Write a note on Patentable and Non-Patentable inventions.
- Q.3** Discuss and explain rights of patentees and rights of co-owners of patents.
- Q.4** Discuss in detail the international provisions relating to Patent Law.
- Q.5** Write a note on:
Use of inventions for purposes of government and acquisition of inventions by central government.
- Q.6** Discuss in detail the provisions relating to revocation of patents.
- Q.7** When monopoly of a patentee over his patent gets violated? Discuss in detail
- Q.8** Explain the following statement. 'The patent could not be defeated unless it was shown that it was not either a new process or that there was no inventive step in it'.
- Q.9** Write a note on:
Registration of patent and registration procedure of patent
- Q.10** Explain the nature and scope of patent law in India

JANJIRA -I: APRIL/MAY - 2007
SUBJECT: LAW RELATING TO COPY RIGHT IN INDIA

Day : Monday
Date : 14-05-2007

Time: 2.30 p.m. to 5.30 p.m.
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 all other questions carry 12 marks each.
-

Q.1 Write the short notes on any **four** of the following:

- a) Joint authors
- b) Copyright Board
- c) Reprography
- d) Term of Copyright
- e) Literary work
- f) Criminal remedies

Q.2 Explain the meaning, concept and historical background of Copyright law.

Q.3 Enumerate the meaning of copyright and explain the work in which copyright does not subsists.

Q.4 'The International Union for the protection of literary and artistic works was first established in 1886 in Berne, Switzerland.' Explain the features of Berne Convention.

Q.5 Write notes on following:

- a) TRIPS agreement
- b) WIPO copyright treaty, 1996.

Q.6 Explain the procedure for registration of Copyright Act, 1957.

Q.7 Explain the subject matter of copyright.

Q.8 What is infringement? What constitutes infringement of copyright?

Q.9 'The protection of copyright given to an owner or licensee is not absolute it is subject to certain exception and restriction'. Explain.

Q.10 'As the famous maxim states Ubi Jus Ibi remedium which states where there is right there is remedy'. Which kind of remedy is available to the person whose copyright is infringed?

JANJIRA - I : APRIL/MAY 2006
SUBJECT : INTELLECTUAL PROPERTY LAW EVOLUTION, CONCEPT AND KINDS

Day : Tuesday
Date : 09/05/2006

Time : 2.30 p.m. to 5.30 p.m.
Max. Marks: 80

N.B.:

- 1) Attempt any **SIX** questions out of which Q. No. 1 is **COMPULSORY**.
 - 2) Q. No. 1 carries 20 marks and all other remaining questions carry 16 marks each.
-

Q.1 Write short notes on any **FOUR** of the following:

- a) Intellectual property rights
- b) Chemical technology
- c) Meaning of copyrights
- d) Good Trademark
- e) International character of patents
- f) Literary work

Q.2 The International law had a great impact on the growth of Intellectual property rights in India. Discuss.

Q.3 Explain the salient features of WTO and WIPO with reference to Intellectual property rights.

Q.4 Write notes on following:

- a) Bio- Technology
- b) Information technology

Q.5 Explain the evolution of Intellectual property rights. Why its protection is needed.

Q.6 Critically evaluate the EEC approach of Intellectual property from international perspective.

Q.7 Explain the meaning of geographical indications and point out the distinction between geographical indications and Trademark.

Q.8 What are intellectual property rights? Explain its advantages.

Q.9 What is infringement of patent? Which kind of remedy is available for infringement of patent.

Q.10 Explain the concept of Trademark. What are its advantages to the owner of trademark and to the consumer?

JANJIRA - I : APRIL/MAY 2006
SUBJECT : LAW RELATING TO COPY RIGHT

Day : Saturday
Date : 13/05/2006

Time : 2.30. p.m. to 5.30 p.m.
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 all other questions carry 12 marks each.
-

Q.1 Short notes on any **FOUR** of the following:

- a) Copyright office
- b) Copyright board
- c) TRIPS agreement and geographical indication
- d) International copyright
- e) Defences against infringement
- f) Rights of Broadcasting Organisation

Q.2 "The copyright Act 1957 give protection to certain works". Explain in which works copyright subsists.

Q.3 "Copyright is not a single right but a bundle of rights which can be exploited independently". Discuss.

Q.4 Explain the salient features of copy right Act 1957.

Q.5 "The terms of copyright varies according to the nature of the work." Comment.

Q.6 "The owners of copyright work have the exclusive right to do certain acts in respect of the work. If any person does any of these acts without authority he will be committing an infringement of copyright in work". Discuss.

Q.7 "In which works reproduction of a part or whole of the work is permitted ". Explain.

Q.8 Write note on:

- a) Universal Copyright Convention
- b) WIPO Copyright Treaty 1996

Q.9 " Geographical indications are all about the culture, geography, tradition, heritage and traditional practices of peoples and countries." Comment.

Q.10 Explain in detail the procedure for registration of copyright work.

Day: Monday
Date: 15/05/2006

Time: 2.30 P.M. TO 5.30 P.M.
Maximum Marks - 80

N.B.

- 1) Attempt **any six** questions including Q. No. 1 which is **compulsory**.
 - 2) Question No. 1 carry **20 marks** and all questions carry **12 marks** each.
-

- Q.1** Write short notes on **any four** of the following:
- a) Collective marks
 - b) Deceptive Similarity
 - c) Function of trade mark
 - d) Design prohibited from registration
 - e) Evolution of trade mark law
 - f) Hague agreement 1960
- Q.2** Define Industrial design and explain the important provision relating to it under the Design Act, 2000.
- Q.3** What is trademark? Distinguish between trademark and property mark.
- Q.4** What is Passing Off? Discuss the provision related to Passing Off and also explain the remedies available under the law.
- Q.5** Write short notes on the following:
- a) Lacarno agreement
 - b) Paris Convention and trade mark
- Q.6** What is infringement of a design? Discuss the remedies available to the plaintiff?
- Q.7** Explain the procedure for registration of trade mark and industrial design in India.
- Q.8** Discuss in detail the remedies available to a person against infringement of trade mark.
- Q.9** Explain the impact of TRIPS agreement on development of law relating to trade mark and industrial design in India.
- Q.10** Discuss the procedure for assignment and licensing of a trade mark.

Day : Thursday
Date : 11/05/2006

Time: 2.30 a.m. To 5.30 p.m.
Max. Marks : 80.

N.B.

- 1) Attempt any **SIX** questions including Q. 1, which is **COMPULSORY**.
 - 2) Q.1 carries 20 marks and all other questions carry 12 marks.
-

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

- a) Product Patent.
- b) Defences available against infringement.
- c) Liabilities of Patentee.
- d) Patent co-operation Treaty 1970.
- e) Patent addition.
- f) Priority date.

Q.2 Explain the important features of Indian Patent Act 2002.

Q.3 Write Notes on:-

- a) Nuclear and Defense patents.
- b) Food and Pharmaceutical Patents.

Q.4 Elucidate in detail the rights and obligations of Patentee.

Q.5 Define invention and which inventions are not Patentable under Patent Act.

Q.6 "The Patentee is entitled to give license of right for making use of the patent to any person in accordance with the procedure prescribed in the Patent Act" Comment.

Q.7 Discuss the procedure for registration of patent.

Q.8 "The monopoly of a patentee over his patent may be violated by unscrupulous elements" comment.

Q.9 Explain in detail the various changes which are recommended by TRIPS to bring 'Indian law in consonance with international standards.

Q.10 What is grant and sealing of patents? Discuss in detail.

Day : Saturday
Date : 11-11-2006

Time : 2.30. p.m. to 5.30 p.m.
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 all other questions carry 12 marks each.
-

Q.1 Short notes on any **FOUR** of the following:

- a) Service marks
- b) Honest and concurrent use
- c) Lacarno agreement
- d) Good will in trade mark
- e) Definition of Industrial design
- f) Design prohibited from registration

Q.2 What is good trade mark. Explain in detail the function of a trade mark.

Q.3 Explain in detail the procedure for registration of trade mark.

Q.4 "A trade mark is said to be deceptively similar to another mark if it so nearly resembles that other mark as to be likely to deceive or cause confusion." Discuss with case law.

Q.5 "Passing Off is said to be a species of unfair trade competition". Comment.

Q.6 "A register trade mark can be assigned or transmitted with or without the good will business concerned". Discuss.

Q.7 What is infringement of trade mark? Discuss the remedy available in case of infringement of it.

Q.8 Write a note on:

- a) Hague agreement 1960
- b) Paris Convention and trade mark

Q.9 Enumerate the procedure for assignment and licensing of a trade mark.

Q.10 Discuss the TRIPS provisions with reference to industrial design. Cite relevant cases.

JANJIRA - I: Oct/NOV-2006
SUBJECT : LAW RELATING TO COPYRIGHT

Day : Friday
Date : 10-11-2006

Time : 2.30. p.m. to 5.30 p.m.
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 all other questions carry 12 marks each.
-

Q.1 Short notes on any **FOUR** of the following:

- a) Copyright Board
- b) Term of copyright in photographs
- c) Meaning of literary work
- d) Criminal Remedies
- e) Jurisdiction of court
- f) Copyright societies

Q.2 "Copyright subsists only in certain classes of work" Discuss.

Q.3 Explain the salient features of Berne Convention.

Q.4 "The copyright work can be used for certain specified purpose without committing an infringement". Discuss.

Q.5 "Copyright Act provides that the author of work has the right to claim the authorship of the work. If this right is infringed the author can take proceeding against the persons concerned for the relief of injunction and damages." Discuss.

Q.6 "Copyright is a kind of personal movable property. It can therefore be transferred by a testamentary disposition or by the operation of law as in case of other properties." Comment.

Q.7 "Explain the nature and scope of copyright law in India".

Q.8 Write note on:

- a) Universal Copyright Convention
- b) Geographical indications

Q.9 " If any person, without authority commercially exploits the work for the profit he will be infringing the copyright " Explain the relevant case laws.

Q.10 Although distinguishable from other forms of intellectual property rights geographical indications are often confused with trade marks" Discuss.

SUBJECT: LAW RELATING TO PROTECTION AND RECOGNITION OF PATENT

Day: *Thursday*
Date: *09-11-2006*

Time: 2.30 p.m. to 5.30 p.m.
Max. Marks: 80

N.B.

- 3) Attempt any six questions including Q. No. 1 which is **COMPULSORY**.
4) Question No. 1 carries 20 marks and all other questions carry 12 marks each.
-

Q.1 Write short notes on ANY FOUR:

- (vii) Essentials of patent
- (viii) Nuclear Patents
- (ix) Utility models
- (x) Article 27 of TRIPS
- (xi) Drug Product Patents
- (xii) Inventive step

Q.2 Which inventions are patentable and which are not patentable under the Patents Act, 1970?

Q.3 What is 'compulsory licensing'? Under what circumstances is compulsory licensing applicable? Explain its provisions in detail.

Q.4 What is the Patent Co-operation Treaty, 1970? What is its effect on Indian patent regime.

Q.5 What are the rights and obligations of patentee? What right does a patentee enjoy in case of defence patents?

Q.6 What do you mean by assignment of patent rights? Explain it in detail and also throw light on assignment of patent priority rights.

Q.7 The Paris Convention is the oldest convention on patents. Discuss with special reference to food patents in India.

Q.8 Explain bio-technology patents in detail. State the treaties and conventions applicable as well as their impact on Indian Bi-technology patent system.

Q.9 State all the major amendments related to the Patents Act, 1970 till the Patents Amendment Act of 2002.

Q.10 'A patent confers certain monopoly rights to the patentee'. Elucidate.

JANJIRA - I: Oct/Nov-2006
SUBJECT : INTELLECTUAL PROPERTY LAW EVOLUTION, CONCEPT AND
KINDS

Day : Wednesday
Date : 08-11-2006

Time : 2.30 p.m. to 5.30 p.m.
Max. Marks: 80

N.B.:

- 1) Attempt any **SIX** questions out of which Q. No. 1 is **COMPULSORY**.
 - 2) Q. No. 1 carries 20 marks and all other remaining questions carry 16 marks each.
-

Q.1 Write short notes on any **FOUR** of the following:

- a) Industrial design
- b) Types of property
- c) Function of trade mark
- d) Literacy work
- e) Invention not patentable
- f) Know how

Q.2 Discuss the term intellectual property and explain in detail the nature and scope of intellectual property.

Q.3 Elucidate a detail note on EEC approach towards intellectual property.

Q.4 Write notes on following:

- a) United Nations and WIPO
- b) Information technology

Q.5 Discuss the nature and importance of geographical indications with reference to intellectual property.

Q.6 What is Industrial design? How it is protected.

Q.7 Make a comparative analysis of patent law of U.S.A. and India.

Q.8 Give a brief account of historical development of intellectual property rights.

Q.9 Explain the salient features of Berne Convention.

Q.10 Critically evaluate the TRIPS provisions related with intellectual property rights.

JANJIRA-I : APRIL/ MAY 2005
SUBJECT : INTELLECTUAL PROPERTY LAW

Day : Monday
Date : 9-5-2005

Time : 2.30 P.M. TO 5.30 P.M.
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 all other questions carry 12 marks each.

-
- Q. 1 Write short notes on any **FOUR** of the following:
- a) Types of property
 - b) Basic concepts of intellectual property law
 - c) International character of patents
 - d) Industrial design
 - e) Term of copyright
 - f) Good trade mark
- Q. 2 'The scope of intellectual property is expanding very fast and attempts are being made by persons who create new creative ideas to seek protection under the umbrella of intellectual property rights'. Comment and discuss a nature and scope of intellectual property.
- Q. 3 Explain the need for protection of intellectual property rights and discuss the measures taken by judiciary in this regard.
- Q. 4 Write a note on:
- a) Know how
 - b) Confidential information
- Q. 5 Explain the term copyright and discuss the provisions relating to it under The Copyright Act, 1957.
- Q. 6 'The task of the judge is to look at the two articles, to observe their similarities and differences, to see them together and separately, and to bear in mind that in the end the question whether or not the design of the defendants' article is substantially different from that of the plaintiff is to be answered by consideration of the respective designs as a whole'. Comment.
- Q. 7 Explain the intellectual property vis-a-vis international perspective.
- Q. 8 Discuss the procedure and explain the effect of registration of patent.
- Q. 9 How does the intellectual property rights protects human rights of an individual? Explain.
- Q.10 'In spite of several intellectual property laws its implementation is not satisfactory. Do you agree? Support your answers with reason.

JANJIRA-I/APRIL-MAY 2005

SUBJECT: LAW RELATING TO PROTECTION AND RECOGNITION OF PATENT

Day: Wednesday

Time: 2.30 p.m. to 5.30 p.m.

Date: 11/05/2005

Max. Marks: 80

N.B.

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

Q.1 Write short notes on ANY FOUR:

- (i) Term of patent
- (ii) Industrial Application of Patent
- (iii) Patent in genetically modified foods
- (iv) WTO agenda for Indian product patent regime
- (v) Meaning of the word 'Patent'
- (vi) Invention based on discovery

Q.2 What is licensing? Explain the provisions of TRIPS regarding licensing and state the difference between licensing and assignment.

Q.3 What is working of a patent? Under what circumstances can a patent not be worked? Explain in detail.

Q.4 'The Patent Co-operation Treaty' is the strongest international object for patents'. Elucidate.

Q.5 What is 'grant' and 'sealing' of patents? Explain in detail.

Q.6 Explain the procedure for registration of patent.

Q.7 Enumerate the major differences between TRIPS recommended patent law and the Indian patent law. What changes are recommended by TRIPS to bring Indian law in consonance with international standards?

Q.8 'Bio-technology patents have seen a new dawn in the wake of the WTO regime'. Elucidate.

Q.9 Explain the rights, duties and liabilities of a patentee in case of a nuclear patent.

Q.10 Explain the powers and functions of the Patent General Comptroller of India.

JANJIRA-I : APRIL/MAY 2005
SUBJECT: LAW RELATING TO COPYRIGHT

Day: Friday
Date: 13/05/2005

Time: 2:30 p.m. to 5:30 p.m.
Maximum 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 questions carry **12** marks each.
-

- Q.1** Write short notes on **ANY FOUR** of the following.
- a) Copyright Board
 - b) Performers rights
 - c) Reprography
 - d) Duration of copyright
 - e) Basmati case
 - f) Copyright societies
- Q.2** Explain the essentials of copyright with reference to present Act of 1957.
- Q.3** Enumerate the salient features of Berne Convention.
- Q.4** What is infringement of copyright and what remedies are available? Explain.
- Q.5** Explain the relationship between the copyright & computer software.
- Q.6** "The copyright owners enjoy many rights in respect of the artistic, dramatic & literary works and other subject matters of copyright ". Discuss.
- Q.7** Write notes on following.
- a) Universal Copyright Convention
 - b) WIPO Copyright Treaty, 1996.
- Q.8** Elaborate the provisions for registration of Geographical Indications.
- Q.9** Explain the concept, meaning and historical background of copyright law.
- Q.10** Elucidate the salient features of the TRIPS agreement with respect to copyright.

Day: Monday
Date: 16/05/2005

Time: 2:30 p.m. to 5:30 p.m.
Maximum Marks: 80

- N.B.:** 1) Answer **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.
- Goodwill in a trademark
 - Hague Convention
 - Prior use in design
 - 'Originality' in trademark
 - Restoration of trademark
 - Definition of 'Industrial Design'
- Q.2** What is passing off? Explain the provisions pertaining to passing off and also the remedies available under the law.
- Q.3** Explain the procedure for registration of an industrial design and a trademark. Explain whether both can be registered simultaneously. If not why?
- Q.4** Explain the TRIPS provisions with respect to industrial designs. Cite international case laws.
- Q.5** The trademark legislation does not make it mandatory for a trademark to be registered. Elucidate by explaining its functions.
- Q.6** Explain the provisions of service mark and also distinguish it from trade mark. List recent examples of service marks.
- Q.7** What is infringement of a design? What are the remedies available to a user in case of an unregistered design?
- Q.8** Explain the Paris Convention for protection of industrial property with respect to trade marks. State the provision for registration of a foreign mark in India.
- Q.9** Explain in brief:-
- Lacarno Agreement
 - Deceptive Similarity
- Q.10** Explain the procedure for assignment and licensing of a trademark.

Day : *Wednesday*
Date : *05.10.2005*

Time : 2.30 P.M. TO 5.30 P.M.
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 all other questions carry 12 marks each.
-

Q. 1 Write short notes on any **FOUR** of the following:

- a) Cancellation of registration of design
- b) Civil remedies against piracy
- c) Functions of trade mark
- d) Good trade mark
- e) Service marks
- f) Definition of design

Q. 2 'The object of design registration is to see that the originator of a profitable design is not deprived of his reward by others applying it to their goods without his permission'. Discuss.

Q. 3 Explain the remedies available for infringement of trade mark with the help of cases.

Q. 4 Explain in brief the provisions of The Design Act 2000.

Q. 5 'A design is something which is applied to an article and is not the article itself'. Comment.

Q. 6 Explain the term passing off and discuss the means adopted for passing off.

Q. 7 'A trade mark is a visual symbol in the form of a word, a device, or a label applied to articles of commerce with a view to indicate to the purchasing public that they are the goods manufactured or otherwise dealt in by a particular person as distinguish from similar goods manufactured or dealt in by other persons'. Comment.

Q. 8 Write a note on:

- a) WTO
- b) Trips agreement

Q. 9 'The basic qualification for registrability of a mark is contained in the definition of Trade Mark itself'. Comment.

Q.10 The question whether two marks are "deceptively similar" or "similar" is an important question which arises for consideration in connection with registration of trade marks. Discuss the doctrine of deceptive similarity and similar and near resemblance.

JANJIRA -I: Oct/NOV-2005
SUBJECT: LAW RELATING TO PROTECTION AND
RECOGNITION OF PATENT

Day : Monday
Date : 03.10.2005

Time: 2.30 p.m. to 5.30 p.m.
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 all other questions carry 12 marks each.

Q.1 Write short notes on any **four** of the following:

- a) Product patent
- b) Invention
- c) Patent addition
- d) Priority date
- e) Duties of patentee

Q.2 'The fundamental principle of patent law is that a patent granted only for an invention which must be new and useful'. Discuss the essential of patentable invention.

Q.3 What is patent? Discuss which subject matter is not patentable .

Q.4 Discuss the salient features of the Patent Act, 1970. What are the amendments made in Patent Act 1999? Explain.

Q.5 What are the objects and scheme of TRIPS agreements? Explain.

Q.6 Write notes on the following:

- a) Biotechnology patent
- b) Patent in nuclear power

Q.7 Discuss the procedure for obtaining a patent as provided under the Patent Act, 1970.

Q.8 'Infringement of a patent is the violation of the monopoly right'. Comment.

Q.9 'A patent is a statutory grant conferring monopoly right on the guarantee for a definite period subject to certain conditions'. Explain the rights of patentee.

Q.10 'A patent may be transferred by patentee to another person'. Explain.

JANJIRA -I: Oct/NOV-2005
SUBJECT : INTELLECTUAL PROPERTY LAW

Day : *Saturday*
Date : *01.10.2005*

Time : 2:30 p.m. to 5:30 p.m.
Max. Marks : 80

N.B.

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

Q.1 Write short notes on:

- a) Major TRIPS compliances
- b) Chemical Technology
- c) Importance of Geographical Indications for India
- d) Evolution of Intellectual Property Rights
- e) Advanced Copyright in U.S.A.
- f) New provisions in Trade Marks Act, 1999.

Q.2 TRIPS is said to be the Constitution of Intellectual Property Rights. Elaborate.

Q.3 What is bio-technology? Explain the various types and the legislations covered there under.

Q.4 Whether internet and information technology are protected under any intellectual property laws? Explain with reference to copyright and patent laws in India and U.S.A.

Q.5 'Research and development is always related to scientific, technological and artistic growth in a country'. Explain Indian Intellectual Property Laws with recent cases.

Q.6 Which treaties and conventions are covered under the auspices of the United Nations? Explain them in detail and state their enforceability with respect to Indian Laws.

Q.7 Designs law in EEC is not as per TRIPS compliances. Elaborate.

Q.8 How does royalty affect the economic level of the country? Whether Intellectual Property Laws in India should be changed for the same purpose?

Q.9 Explain the disputes settlement mechanism of TRIPS and cite recent cases.

Q.10 Explain in detail :

- a) Property Rights
- b) Product Patent Compliance of TRIPS in India.

JANJIRA-I: Oct/NOV-2005
SUBJECT: LAW RELATING TO COPYRIGHT

Day: Tuesday
Date: 04.10.2005

Time: 2:30 p.m. to 5:30 p.m.
Maximum Marks: 80

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- N.B.:** 1) Attempt any six questions including Q. No.1 which is **COMPULSORY**.
2) Q. No.1 carries **20** marks and other questions carry **12** marks each.
-

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

- a) Phonograms Treaty 1996.
- b) Copyright Societies
- c) Functions of the Copyright Board
- d) Rights of Broadcasting organization
- e) International Copyright
- g) Biopiracy

Q.2 What is copyright? Define and explain the works in which copyright subsists.

Q.3 Elaborate the salient features of WIPO Copyright Treaty and Indian Copyright law.

Q.4 Explain the provisions for registration of copyright in India.

Q.5 Explain the following:

- a) Indicators
- b) Universal Copyright Convention.

Q.6 Certain acts do not amount to infringement of copyright. Discuss.

Q.7 Advanced countries have been violating the principles of Geographical Indications, which indirectly constitutes infringement. Explain.

Q.8 Explain assignment and licensing in respect of copyright.

Q.9 Explain the essential ingredients of infringement and the remedies available in the national as well as the international laws.

Q.10 Explain the concepts of author and owner in copyright by citing cases and giving examples.

JANJIRA-I: APRIL/MAY -1004
SUBJECT: LAW RELATING TO PROTECTION AND
RECOGNITION OF PATENT

Day : Tuesday Time: 2.30 p.m. to 5.30 p.m.
Date : 11/05/2004 Max. Marks: 80

N.B.

- 1) Attempt any **six** questions including O.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) Grant and sealing of patents
- b) Government use of inventions
- c) Complete specification
- d) Duties of patentee
- e) Invention for defence purposes
- f) Patent in nuclear power

Q.2 Explain the meaning of patent and which subject matters are not patentable inventions.

Q.3 What is the impact of TRIPS on Indian pharmaceutical products and access to health care in India?

Q.4 Write notes on the following:

- a) Paris convention
- b) Patent co-operation treaty, 1970

Q.5 Explain which is non-patentable subject matter under international law of patents.

Q.6 Explain the procedure for Acquisition of patents under Patents Act, 1970.

Q.7 'A patent is recognized as a species of property and can be transferred from the original patentee to any other person by the assignment or by operation of law'. Comment.

Q.8 What is infringement of patent and which kind of remedy is available to the patentee?

Q.9 'The Rights of patentee are not absolute they are subject to many limitation and restrictions'. Explain.

Q.10 Write notes on the following:

- a) Employees patent
- b) Biotechnology patent

JANJIRA-I : Oct. NOV-2004
SUBJECT : INTELLECTUAL PROPERTY LAW

Day : *Wednesday*
Date : *6-10-2004*

Time : 2.30 P.M. TO 5.30 P.M.
Max. Marks : 80.

W.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) State of art
 - b) Author of copyright
 - c) Scope of intellectual property
 - d) Use of intellectual property
 - e) Industrial design
 - f) Literary work
- Q. 2 Explain the doctrine of deceptive similarity under Trade and Merchandise Act, 1958 with the help of cases.
- Q. 3 Define the term design and explain what are the civil remedies available against piracy.
- Q. 4 What do you mean by passing off? Explain and discuss its importance.
- Q. 5 Write a detailed note on EEC approach towards intellectual property.
- Q. 6 Define patent and explain the grounds of opposition for the grant of patent.
- Q. 7 Copyright is a kind of intellectual proeprty. Elucidate with reference to international conventions.
- Q. 8 Write a note on:
 - a) Trade mark
 - b) Registration of trade mark
- Q. 9 Explain the role of judiciary in protection of intellectual property rights in India.
- Q.10 'The international law had a great impart on the growth of intellectual property rights in India'. Comment.

JANJIRA-I: Oct. Nov-2004
**SUBJECT: LAW RELATING TO PROTECTION AND
RECOGNITION OF PATENT**

Day : Friday
Date : 8-10-2004

Time: 2.30 p.m. to 5.30 p.m.
Max. Marks: 80

N.B.

- 1) Attempt any **six** questions including O.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) Restoration of lapsed patent
- b) Date of patent
- c) Exclusive marketing rights
- d) Obligation of Patentee
- e) Amendment of specification
- f) Term of patent

Q.2 Define patent and explain which inventions are patentable.

Q.3 Explain the salient feature of TRIPS agreements.

Q.4 Write notes on following:

- a) Patent co-operation treaty, 1970.
- b) Non patentable subject mater.

Q.5 'A patent is a kind of limited monopoly granted to the true inventor. However no patent is absolute and can be revoked by the Government or be surrendered by the patentee under certain circumstances'. Comment.

Q.6 'The procedure for obtaining a patent in India starts with the filing of application for patents and ends with grant and sealing of the patents'. Explain.

Q.7 The patentee is entitled to give license of right for making use of the patent to any person in accordance with the procedure prescribed in the patent Act. Comment.

Q.8 What are the rights and obligations of the patentee in respect of patents granted under the Patent Act, 1970?

Q.9 'The monopoly of a patentee over his patent may be violated by unscrupulous elements' Explain

Q.10 Write notes on following:

- a) Biotechnology patent
- b) Patent in Nuclear power

JANJIRA-I: Oct. NOV. 2004
SUBJECT: LAW RELATING TO COPYRIGHT IN INDIA

Day : Monday
Date : 11-10-2004

Time: 2.30 p.m. to 5.30 p.m.
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 all other questions carry 12 marks each.

-
- Q.1 Write short notes on any **four** of the following:
- a) First owner of copyright
 - b) Performer's Right
 - c) Copyright Societies
 - d) Anton Piller Order
 - e) Term of copyright
 - f) Broadcast Reproduction Right
- Q.2 Explain the meaning and nature of copyright law.
- Q.3 'The copyright subsists in original, literary, dramatic, musical and artistic works'. Explain.
- Q.4 Enumerate the salient features of Berne Convention.
- Q.5 Write notes on the following:
- a) WIPO Copyright Treaty, 1996.
 - b) Universal Copyright convention.
- Q.6 Explain the procedure for registration of copyright.
- Q.7 Discuss the salient features of Copyright Act, 1957.
- Q.8 'The owner of Copyright work has the exclusive right to do certain acts in respect of the work. If any person does any of these acts without authority he will be committing an infringement of the copyright'. Explain.
- Q.9 Explain the acts which do not constitute infringement of copyright.
- Q.10 Explain the remedies available to the true owner when his copyright is infringed.

Day : Wednesday
Date : 13-10-2004

Time : 2.30 P.M. TO 5.30 P.M.
Max. Marks : 80.

H.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) Appeal to the eye
- b) Novelty and originality
- c) Piracy
- d) Service marks
- e) Certification trade marks
- f) Licensing of trade marks

Q. 2 Define industrial design and explain the brief provision relating to it under the Design Act of 2000.

Q. 3 Trace out the historical background and explain development of law relating to trade marks in India.

Q. 4 'Patents, registered designs and copyright are protected only for a limited period. On the other hand, in general, a registered trade mark can be protected in perpetuity subject only to the conditions that it is used and renewed periodically and the registered proprietor takes prompt action against infringers'. Discuss.

Q. 5 'The function of a trade mark is to give an indication to the purchaser or possible purchaser as to the manufacturer or quality of the goods'. Comment.

Q. 6 'Trade Marks Act 1999 does not define the categories of marks registrable or the requisites for registration of a mark'. Comment and explain provisions relating to it.

Q. 7 Write a note on:

- a) Trips agreement and WTO
- b) Trade mark and Paris convention

Q. 8 Critically evaluate and explain Designs rules 2001.

Q. 9 'Passing off is a form of tort. The law of passing off, based on common law, has remained substantially the same over more than a century though its formulation has changed over the time. The object of this law is to protect the goodwill and reputation of a business from encroachment by dishonest competitors'. Discuss.

Q. 10 Explain the law relating to registration of Designs.