

JANJIRA : Oct/Nov-2009

SUBJECT : INTELLECTUAL PROPERTY LAW EVOLUTION, CONCEPT & KINDS

Day : Monday

Date : 14-12-2009

Time : 2:30 P.M. TO 5:30 P.M.

Max. 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.

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

- a) MFN
- b) Priority date
- c) Multiple filings
- d) Authors special right
- e) Chemical technology
- f) Moral rights

**Q.2** Neop Pharma has invented a new drug for curing cancer. It has received approval from FDA in US and also in other countries. The company entered into an agreement with an Indian Company Z Major for marketing the drug in India. Critically evaluate the Indian position with reference to legal provisions.

**Q.3** 'Intellectual property is part of the global trade regime.' Comment with the help of TRIPS Agreement.

**Q.4** Discuss how intellectual property law balances monopoly of the proprietor in larger interest of the community.

**Q.5** Imagine a hypothetical case where a manufacturer comes up with a latest version of software; in such a case what intellectual property right protection can be claimed by the proprietor to demonstrate the long arm of protection of intellectual property law.

**Q.6** Evaluate the role of WIPO in protection and enforcement of intellectual property rights.

**Q.7** Discuss different cases wherein intellectual property and other laws interplay with each other. Cite proper illustrations from your day to day life.

**Q.8** Critically examine the Indian position with respect to genetic patents.

**Q.9** What is cyber squatting? Discuss the ICANN Policy.

JANJIRA: Oct/Nov-2009  
SUBJECT : LAW RELATING TO COPY RIGHT

Day : Wednesday  
Date : 16-12-2009

Time : 2:30 P.M. TO 5:30 P.M.  
Max. 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.
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- Q.1** Write short notes on any **FOUR** of the following:
- a) Copyright societies
  - b) Folklore
  - c) Copyright Board
  - d) Phonogram Treaty
  - e) Infringing copy
  - f) Registration of copyrighted work.
- Q.2** 'Copyright subsists in work not idea.' Elucidate.
- Q.3** Explain the provisions of Copyright Act pertaining to assignment & licensing of copyrighted work.
- Q.4** Critically evaluate the salient features of WIPO Copyright Treaty.
- Q.5** Discuss the 'Fair Use' doctrine with the help of S.52 of Copyright Act.
- Q.6** Explain the meaning of 'primary infringement' and 'secondary infringement' with help of case laws.
- Q.7** Define 'literary work.' Also examine the copyright protection to computer software & shortcomings of the law thereto.
- Q.8** Explain the meaning of author and owner of copyright with the help of S.17. of Copyright Act.
- Q.9** Discuss the provisions for registration of copyright. Also explain the importance of symbol-© for a work.
- Q.10** What are geographical indications? Explain the provisions for registration of geographical indications.

JANJIRA Oct/NOV-2009

**SUBJECT : LAW RELATING TO PROTECTION AND RECOGNITION OF PATENT**

Day : Tuesday  
Date : 15-12-2009

Time : 2:30 P.M. TO 5:30 P.M.  
Max. 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.
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- Q.1** Write short notes on any **FOUR** of the following:
- a) Doctrine of Pith & Marrow
  - b) First Use
  - c) Multiple Filings
  - d) Nuclear Patent
  - e) Micro organisms
  - f) Controller General of Patents
- Q.2** Define 'Art' & 'Prior Art'. Explain their importance in deciding the novelty of inventions.
- Q.3** What do you mean by 'Specification' & 'Claims'? Discuss the role of patent agent in drafting & filing of patent applications.
- Q.4** Critically examine the 'Essential Integer Test' pertaining to infringement of patent.
- Q.5** What is the basic difference between Process Patent & Product Patent? What problems/controversy does Process Patent pose/raise for patentable inventions? Discuss the Indian position thereto.
- Q.6** Discuss the various grounds for compulsory licensing of patents. Cite recent examples.
- Q.7** Critically evaluate the TRIPS mandate behind biotechnology patents. Also cite the important principles of UPOV Convention.
- Q.8** Write a note on the salient features of Patent Co-operation Treaty.
- Q.9** Discuss in detail the steps involved in registration of patents in India.
- Q.10** Write notes on:
- a) Business methods
  - b) Nuclear patents

JANJIRA: Oct/Nov. 2009  
SUBJECT : LAW RELATING TO TRADE MARKS & INDUSTRIAL DESIGN

Day : Thursday  
Date : 17-12-2009

Time : 2:30 P.M. TO 5:30 P.M.  
Max. 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.
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- Q.1** Write short notes on any **FOUR** of the following:
- a) Madrid convention
  - b) Cyber squatting
  - c) Domain name
  - d) UDRP
  - e) ICANN
  - f) Meaning of T.M. and REGD/Regd. (Symbol)
- Q.2** Trade mark legislation in India is said to be fully TRIPS compliant. Comment with a note on the important changes brought by the Trademarks Act, 1999.
- Q.3** Critically examine the meaning of 'Identity of Marks with identity of goods or services.'
- Q.4** 'The basic difference between registered trade mark and unregistered trade mark lies in remedies not in protection'. Elucidate.
- Q.5** Design is a feature apart from product. Substantiate with the help of cases.
- Q.6** The two important roles played by trademark are, firstly:- sources of manufacture and secondly:-quality. Elucidate.
- Q.7** Explain the role played by certification trademark in protecting the rights of consumers. Cite illustrations from your day to day life.
- Q.8** 'When a person sells goods or offers services in the name of other person, he commits the tort of passing off'. Comment.
- Q.9** Write a note on registration of trade marks.
- Q.10** What do you mean by copyright in design? Also explain the term for design protection.
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