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THREE YEAR/FIVE YEAR L.L.B. DEGREE EXAMINATION — JUNE 2013.

FOURTH/EIGHTH SEMESTER

Paper 4.4-INTELLECTUAL PROPERTY LAWS (Optional -2)

(Revised Regulation w.e.f. 2009-2010)

Time : 3 hours

Max. Marks : 100

PART- A (Short Answer Questions)

Write Short notes on any Six of the following.

Each question carries 4 marks.

(Marks : $6 \times 4 = 24$)

1. Industrial designs.
2. Video piracy.
3. Importation.
4. Passing off.
5. Deceptive similarity.
6. TRIMS.
7. Literary and artistic works.
8. Definition of Patent.
9. Compulsory licenses.

PART - B (Essay Type Questions)

Answer any TWO of the following questions.

Each question carries 18 marks.

(Marks : $2 \times 18 = 36$)

10. Examine the current legislative framework of Patents in India.
11. Explain the important objectives and principles governing TRIPS.
12. Explain the Berne Convention for protection of literary and artistic works.
13. What is the procedure for registration of a design and explain the rights that accrue after registration of a design?

[P.T.O.]

PART - C (Case Comment Type Questions)

Answer any TWO of the following questions

Each question carries 20 marks

(Marks : $2 \times 20 = 40$)

14. X is a registered trademark proprietor for a mark 'STREPCIL' used in relation to medicines. Y who subsequently came to market started to sell same medicine under the trademark 'STEPSIL' In response to an infringement suit brought by X, Y countered that his trade mark is different, hence there is no infringement. Decide.
15. X invents a product and submits an application along with model and specifications. At the time of testing, his model could not work properly before the concerned authority. Y applied for the patent with the same model and specifications, which proved successful. Decide who is eligible to set the patent.
16. Y an author comes to know that daily the library of an university is allowing to make ten photocopies of his book by the students. He files an infringement suit against the University. Will he succeed.
17. Y holds a patent for a cancer drug. The patent term was about to be expired in 2012. As such Z wanted to introduce a generic version of the same drug. However, Y made minor changes to the drug composition and applied for a patent. How can Z challenge the patent application of Y.

bajaj
vs
TAS