

B.A.LL.B. Even Semester Exam, 2023

LAW

10th Semester

COURSE NO. B.A.LL.B.- 1001(C)

(Intellectual Property Rights)

Full Marks : 70

Pass Marks : 28

Time : 3 hours

The figures in the margin indicate full marks for the questions

Answer five questions, taking one from each Unit

Unit - I

1. What is intellectual property? Explain various theories of Intellectual Property Rights and their infringement and remedies. 14
2. Discuss the role and functions of WTO in establishing the IPR practice among the countries of the contemporary world. 14

Unit-II

3. "Managing the patent is exercised by the patent offices and patent attorney officer"- Discuss. 14

Turn over

4. Explain non-patentable inventions in the light of section 3 of the patent Act of 1970 with the help of leading cases. 14

Unit-III

5. a. Explain the procedure for registration of Trademark. 6
b. Discuss about preventive measures and remedies applicable for willful infringement of trademark and other IP rights. 8
6. a. “Deceptive similarity in Trademark is a direct infringement of the IP”- Discuss in the context of M/S S.M. Dyechem Ltd. v/s Cadbury (India) Ltd AIR 2000 SC 2114. 10
b. Contrast briefly “Deceptive similarity” with “passing off”. 4

Unit-IV

7. a. What is copyright? Explain various “Rights” provided under the copyright Law- 8
b. Explain Neighboring rights. 6
8. Discuss about the major contributions of the Berne Convention towards the protection of IPR globally. 14

Unit-V

9. Give an overview of the Industrial Design Act, 2000. 14

10. Write short notes on any two: 7x2=14

- a. Exclusive and Non-exclusive licenses in copyright.
b. Novelty and originality in Design
c. Arbitration process in IPR disputes.
