

**LL.B. (3 YEAR DEGREE COURSE) SEM-V (CBCS - 2015
COURSE) : SUMMER - 2018**

SUBJECT: INTELLECTUAL PROPERTY LAW

Day : **Tuesday**
Date : **24/04/2018**

S-2018-1387

Time: **02.30 PM TO 05.30 PM**
Max. Marks: 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) What is a patentable invention, and state what is not patentable.

OR

- b) 'Though the protection offered under Designs Act is called as copyright, it is different from the copyright granted under the copyright Act 1957' Justify the statement in the light of the concept of industrial designs.

Q.2 a) Discuss the significance of registration of trademark and the procedure for registration of the trademarks

OR

- b) Discuss the concept of author and owner of the copyright, and state the circumstances when the author and owner of the copyright regarding the same work differ.

Q.3 a) Write note on Onco mouse case

OR

- b) Discuss why the Cadilla Case was very popular under Trademark ambit.

Q.4 a) Explain the concept of passing off and distinguish the same from infringement of trademark.

OR

- b) Discuss the concept of fair deal under the Copyright Act 1957.

Q.5 a) Rajat owns a hotel named 'Banarasi Haveli' in Lucknow. The GI owners of Banarasi saree file the case against Rajat for using the name Banarasi. Discuss how this issue can be solved.

OR

- b) 'Mr A' is faced with an objection for his trademark by registrar of the Trademark on absolute grounds of refusal of the trademark. Advice 'Mr A' with most effective argument against the section 9 of the trademark.

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