

S.D.E.

**DIPLOMA IN INTELLECTUAL PROPERTY LAW (D.I.P.L.)(2015
COURSE) : SUMMER - 2018**

SUBJECT: LAW RELATING TO PROTECTION & RECOGNITION OF PATENT

Day : **Saturday**
Date : **26/05/2018**

S-2018-4267

Time **10.00 AM TO 01.00 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 carries 12 marks each.
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Q.1 Write short notes on **ANY FOUR** of the following:

- a) Diamond v. Chakrabarty
- b) Basic understanding of Industrial Property
- c) Patent Opposition
- d) Patent publication
- e) Ever greening of patents
- f) Right of Co-Owner

Q.2 Define 'Patent' and 'Invention' Elaborate which inventions are non patentable.

Q.3 Explain the rights, duties and liabilities of the patentee with reference to the Patent Act.

Q.4 'Where there is a mistake in quoting the past reference number in the renewal application, the department shall enquire into the mistake and grant renewal.' Comment this statement with reference to Jeijin Ltd. Case.

Q.5 Discuss the Procedure of Registration of Patent and also mention the grounds of oppositions.

Q.6 "Intellectual Property Appellate Board (IPAB) has appellate jurisdiction against the decision of the controller pertaining to refusal of patent application." Discuss the powers and duties of the Intellectual Property Appellate Board" (IPAB).

Q.7 Discuss when can computations licence can be issued by the register, and also explain the factors taken into consideration while issuing the computations licences.

Q.8 Write a note on:

- a) Aims and objectives of Paris Convention
- b) Salient features of Hague Agreement

Q.9 'Additional invented parts of any machine, if they themselves involved inventive steps, can be patented'. Discuss this statement with the provision of patent of addition.

Q.10 "Licensing cannot sue for infringement unless the terms of the license granted to him authorize the licensee to do so." Comment and explain defenses against infringement.