

LL. M. SEM-I (2015 Course) CBCS : WINTER - 2018

SUBJECT : D) LAW OF INDUSTRIAL AND INTELLECTUAL PROPERTY

(BUSINESS LAW)

(students Admitted During the Academic Year 2015-16 TO 2017-18 only)

Day : Wednesday

W-2018-1580

Time : 10.00 AM TO 01.00 PM

Date : 12/12/2018

Max. Marks : 60

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**N.B.:**

- 1) Attempt **ANY FOUR** Questions
  - 2) All questions carry **EQUAL** marks
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- Q.1** "The statute law relating to intellectual property in India is undergoing changes so as to bring them to harmonize with the corresponding laws in the developed countries" Comment and discuss the concept of Intellectual property.
- Q.2** "The value of a trade marks, whether registered or not can be main-tained only if the proprietor uses it and takes prompt action against infringer by an action for infringement, or passing off or by criminal proceedings" Explain the rights of consumer with reference to the Trade Marks Act, 1999.
- Q.3** Discuss the legal regime of Unfair Trade Practices with reference to UNCITRAL.
- Q.4** Define "Invention" Discuss the issues and challenges regarding computer software and the patentability of invention relating to it under the Patent Act.
- Q.5** Explain the Freedom of speech and expression as the basis of the regime of intellectual property law
- Q.6** Describe the provisions regarding to 'patent search, examination and records' with reference to Patent Co-Operation Treaty(PCT).
- Q.7** "The remedies in a passing off action includes in injunction, damages or an account of profits and delivery up of the offending article for erasure or destruction" Discuss in detail.
- Q.8** Write a detail note on **(ANY TWO)**:
- a) Nature and types of biotechnology patents and elaborate the Indian policy regarding to it.
  - b) Human Rights & IPR
  - c) Traditional Knowledge & IPR

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