

B.B.A. LL.B. SEM – X (Five Year Law) (CBCS – 2015 COURSE):
SUBJECT : INTELLECTUAL PROPERTY LAW

Winter-2021

Day : Friday
Date : 17.12.2021

Time : 10.00 A.M TO 12.30 P.M
Max. Marks : 60

W. 2021-12574

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 a) Explain the concept of intellectual property and also state the significant roles played by various treaties and conventions in harmonization of Intellectual Property laws of various countries.

OR

b) Explain the concept of patents in detail and also state the inventions which are not patentable under the Patent Act itself.

Q.2 a) Discuss the significance of the registration of the patent and also state the registration procedure of the patents.

OR

b) Write a note on Biotechnology patent.

Q.3 a) Explain the concept of trademark and state the absolute ground of refusal and relative ground of refusal of the trademark.

OR

b) Elaborate the concept of infringement of the trademark and also state the remedies for the infringement available to the plaintiff.

Q.4 a) Discuss the concept of assignment and licences of the copyright.

OR

b) Explain the concept of fair deal mentioned in Section 52 of the copyright.

Q.5 a) i) Discuss the facts and the ratio of the Bajaj Auto Limited vs. TVS Motor Company Ltd.

ii) Mr. 'X' had written many poems. He had three sons 'P', 'Q' and 'R'. Mr. 'X' never registered for copyright. After the death of Mr. 'X', Mr. 'P' and Mr. 'Q' approached one publisher 'A' and misrepresented that Mr. 'X' had two sons. The publisher paid the royalty and published the poems of Mr. 'X'. Mr. 'P' and Mr. 'Q' distributed the profit among themselves. When Mr. 'R' came to know about the same, he sued Mr. 'P', Mr. 'Q' and Publisher Mr. 'A'. Predict the outcome of case.

OR

b) i) Discuss the facts and ratio of the case Cadila Health Care vs. Cadila Pharmaceuticals Ltd.

ii) One photographer Mr. 'A' shot a photograph of some people holding puppies. The photograph went viral. One Mr. 'B' used this photos and made huge profits. When Mr. 'A' discovered this he sued Mr. 'B' for his copyright infringement. Predict the outcome of the case.

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