

**BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)**

**LL.B. Sem-V : WINTER : 2021  
SUBJECT: INTELLECTUAL PROPERTY LAW**

**Day : Monday  
Date : 10-01-2022**

**W-12608-2021**

**Time : 02:00 PM-04:30 PM  
Max. Marks: 60**

**N.B.**

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

**Q.1** “Prior to the industrial revolution, Intellectual Property was a neglected, however in today’s era of free trade, the Intellectual Property Rights cannot be undermined”. Justify in the light of the nature of Intellectual Property Rights.

**OR**

Explain in detail the concept of biotechnology patent in detail, also state the arguments forwarded for and against the grant of biotechnology patents.

**Q.2** Discuss the concept of good trade mark and also state what are the essentials of a good trademark.

**OR**

Elaborate the relative and absolute grounds of refusal of trademarks.

**Q.3** “The protection granted under industrial designs is called as copyright, however the right granted under Industrial Designs Act, 2000 is more similar to patent”. Comment.

**OR**

Explain in detail the concept of trade secret and state the position of law relating to trade secret in India.

**Q.4** Discuss the nature of copyright law in the light of its definition given under section 14 of Copyright Act, 1957.

**OR**

Explain in detail the concept of Economic rights and Moral rights in detail, and also mention its significance.

**Q.5 a)** State the ratio and its significance in Bayer v. Nacto case.

**b)** Mr. ‘A’ had created an original work. Mr. ‘B’ was a licensee Mr. B later realized that Mr. ‘C’ was committing an infringement of the work of Mr. ‘A’. Mr. ‘B’ communicated this to Mr. ‘A’ who failed to take any action. Mr. ‘B’ sued Mr. ‘C’, Mr. ‘C’ contended that Mr. ‘B’ is a mere licensee, and so cannot sue Mr. ‘C’. Predict the outcome of the case.

**OR**

**a)** Discuss the ratio and significance in The Chancellor, masters and scholars of University of Oxford v. Rameshwari Photocopy services and ors.

**b)** International brand had trademark for PQR and achieved a considerable goodwill, not only in India but also in other countries. The company failed to renew its trademark related to PQR in India. Mr. ‘X’ wanted the trademark for ‘PQR’. Predict the outcome of the case.

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