

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
LL.B. Sem-V : WINTER : 2021
SUBJECT: PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT & EASEMENT ACT

Day : Wednesday
Date : 12-01-2022

W-12609-2021

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

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) Explain the concept of Intellectual Property and also state its nature and scope.

OR

- b)** “Generally patent is granted to the inventions which are novel, non-obvious and are industrially exploitable. However certain inventions even if fulfill all these requirements fail to obtain the patents because Patent Act prohibits those inventions from patenting”. Justify.

Q.2 a) Define Biotechnology Patent and discuss its nature, requirement and its significance to make human life better.

OR

- b)** Explain the relative grounds and the absolute grounds of refusal of trademark.

Q.3 a) Discuss the concept of Industrial Designs and state the essentials to be present for a design to get protection under Industrial Designs Act, 2000.

OR

- b)** Write a note on Trade Secret.

Q.4 a) Elaborate the concept of copyright and state the nature of copyright in detail.

OR

- b)** Explain the significance of Berne Convention and Universal Copyright Convention.

Q.5 a) i) Explain the facts and ratio in Novartis vs. Union of India.
ii) Mr. ‘A’ wrote and copyrighted a novel. The said novel was very popular. Mr. ‘B’ approached Mr. ‘A’ for translation. Mr. ‘A’ agreed and granted Mr. ‘B’ the licence to translate. Mr. ‘B’ translated the work in accordance with the terms of licence. Mr. ‘C’ committed infringement relating to the translation of the work. Mr. ‘A’ sued Mr. ‘C’ for infringement of copyright. Mr. ‘C’ stated that the translation was not the original work of Mr. ‘A’ hence he cannot sue. Predict the outcome of the case.

OR

- b) i)** Discuss the facts of Cadila Health Care vs. Cadila Pharmaceuticals Ltd.
ii) One university authorized one zerox shop ‘XX copiers’ to zerox a study material and distribute it to its students only. The study material contained various chapters from various books of the foreign authors. The publishers of those books brought action against ‘XY copiers’. The ‘XX copiers’ took stand that he did the same on instructions of the university. Predict the outcome of the case.

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