

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

LL.B. Sem-V : SUMMER : 2022

SUBJECT : INTELLECTUAL PROPERTY LAW

Day : Friday
Date : 20-05-2022

S-12608-2022

Time : 10:00 AM-12:30 PM
Max. Marks : 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) "Intellectual Property is of recent origin as compared to the criminal laws or laws of contract". Justify the statement in the light of concept, nature and scope of Intellectual Property.

OR

b) Explain the concept patent, its history and its significance in today's industrial world.

Q.2 a) Elaborate the concept of Biotechnology in detail, its significance and also state the arguments in support and in opposition of granting the biotechnology patent.

OR

b) Discuss the significance of registration of the patent and also state the procedure of registration of patent.

Q.3 a) Explain the concept of passing off in detail and distinguish the concept of passing off from infringement of trademark.

OR

b) Analyse the concept of author and owner of the copyright and state the circumstances when the author and owner regarding the same work may differ.

Q.4 a) Explain the concept of fair deal, and state the acts which constitutes fair deal.

OR

b) Elaborate the role of Patent Cooperation Treaty and Paris Convention in harmonizing patent law of various countries .

Q.5 a) i) Discuss the facts and ratio of the case Bayer Corporation vs. Natco case.
ii) 'A' wrote a novel that novel became very popular, 'B' wanted to get it translated. 'A' allowed 'B' to translate it. 'B' exceeded the conditions mentioned in the licence agreement. 'A' sued 'B' for infringement 'B' took a stand that he is not liable for infringement as the licence. Predict the outcome of the case

OR

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

ii) Mr. 'A' a photographer took the photograph of Mr. 'B' and gave the copy of that photograph to Mr. 'B'. Mr. 'B' posted that photograph on his facebook account. Mr. 'C' downloaded the photo of Mr. 'B' from the facebook and used it for commercial purpose. Discuss whether Mr. 'A' can institute the suit of infringement of copyright on Mr. 'C' with proper reasons and relevant copyright provisions.

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