

B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)

B.A. LL. B. Sem - X : WINTER- 2022

SUBJECT : INTELLECTUAL PROPERTY LAW

Day : Saturday

Time : 10:00 AM-12:30 PM

Date : 26-11-2022

W-12513-2022

Max. Marks : 60

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**N.B.:**

- 1) All questions are **COMPULSORY**.
  - 2) All questions carry **EQUAL** marks.
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**Q.1** A) Elucidate the provisions relating to infringement of Trademark, Piracy and Passing off.

**OR**

B) Discuss in details patentable and non-patentable inventions or products with relevant case laws.

**Q.2** A) What is infringement of patent? Explain the remedies available and defences against infringement of patent.

**OR**

B) "Protection to Intellectual Property Rights is guaranteed as a mark of respect to moral rights". Comment in proper perspective.

**Q.3** A) What is Trademark? Discuss the functions and essentials elements of a Trademark.

**OR**

B) Discuss the concept of compulsory licensing in respect of copyrights in the light of leading case laws.

**Q.4** A) Write short notes on:

- i) Pharmaceutical patents
- ii) Biotechnology patents

**OR**

B) Write short notes on:

- i) Process patents
- ii) Product patents

**Q.5** A) i) Discuss facts and *ratio decidendi* of the case *Diamond v. Chakroborty*  
ii) Neop Pharma has invented a new drug for curing cancer. It has received approval from FDA in US and also in other countries. Neop Pharma entered into an agreement with an Indian Company Zaco Major for marketing the drug in India. Critically evaluate the agreement positions with reference to Indian legal stipulations.

**OR**

B) i) Discuss facts and *ratio decidendi* of the case *Novartis A.G. v. Union of India*.  
ii) Ranvir has authored a book by name 'A Pandit who sold his private Jet'. Aalia obtains prior permission form Ranvir and produces a play based on this book. Who will be the copyright owner of the play which is an adaption of Ranvir's book?

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