

MASTER OF LAWS (LL.M.) (SEMESTER PATTERN) (CBCS - 2015 COURSE)
LL.M. Sem - III IPL : WINTER- 2022
SUBJECT : LAW OF GEOGRAPHICAL INDICATION & TRADITIONAL
KNOWLEDGE

Day : Wednesday

Time : 10:00 AM-12:30 PM

Date : 11/1/2023

W-12651-2022

Max. Marks : 60

N.B.:

- 1) Attempt **ANY FOUR** questions.
 - 2) All questions carry **EQUAL** marks.
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- Q.1 Write an exhaustive commentary on “Concept of Community Intellectual Property Rights” critically narrating the efficacy and ability of geographical indication regime in securing community rights.
- Q.2 “The Agreement of Madrid for the Prevention of False or Misleading Indications of Source on Goods, and the Additional Act of Stockholm is intended to protect consumers against persons using false indications of source on goods. This Agreement was drafted to prohibit all false indications of source regardless of the user’s intent.” Critically evaluate this statement elaborating meaning, scope and characters of geographical indication especially geographical indication related to goods.
- Q.3 Discuss in detail the principal provisions of Paris Convention for the Protection of Industrial Property (1883) and Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods (1891) relating to indications of source and appellations of origin.
- Q.4 Write a note on salient features of the Geographical Indications of Goods (Registration and Protection) Act, 1999 with analytical elaboration of offences, penalties and procedure in cases of misleading uses of indications of geographical origins.
- Q.5 “What characterizes traditional knowledge is the fact that, generally, it is not produced systematically, but in accordance with the individual or collective creators’ response to and interaction with their cultural environment.” Explain the rationale behind this definition of traditional knowledge and write in detail constituents, economics and significance of traditional knowledge.
- Q.6 “Bio-piracy usually takes place in the form of granting of ‘wrong’ patents, granting of patents to ‘inventions’ derived from traditional knowledge of a community or lowering the patent standards.” Critically assess the truth about this statement with the help of Convention on Biological Diversity, 1992 and the Biological Diversity Act, 2002 along with the international landmark judgements.
- Q.7 State, explain and critically analyze the measures taken by India for protection of traditional knowledge through various legal enactment.
- Q.8 Write short notes on the following:
- a) Consultation by World Intellectual Property Organization on traditional knowledge
 - b) Interface between trademarks and geographical indications

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