

B.A.LL.B., (Hons.) DEGREE SEVENTH SEMESTER EXAMINATION, MARCH 2022

INTELLECTUAL PROPERTY RIGHTS: PRINCIPLES AND PRACTICES

Time: 3 Hours

Maximum Marks: 50

Answer any Five questions. Each question carry Ten marks

(5*10 =50 Marks)

- I. “Protecting and utilizing intellectual property rights would contribute to wealth creation, employment opportunities and business development” says the National IPR Policy, 2016. Do you agree with this statement? Provide reasons in support of your position.
- II. What are the exceptions to the rights of a patent holder? With special reference to the relevant statutory instruments and their judicial interpretation, examine the extent of such exceptions and limitations in India.
- III. Explain the meaning of traditional knowledge. Are they a form of intellectual property? Clarify the legislative response to the same.
- IV. Answer both of the following questions- Each carries 5 marks
 - 1) B hails from a community whose pickles have been nationally famous for more than half a century- they use specific mixture of spices in a secret formula, and maintain the quality rigorously. If B wants to register these as a GI, what are the conditions that must be met?
 - 2) Write a short note on the process of registration of geographical indications in India
- V. “Because of the unique characteristics of trade secrets, there are specific challenges relating to trade secret disputes”. Do you agree? Examine the adequacy of the legal framework for protection of trade secrets in India

VI. Answer both of the following questions- Each carries 5 marks

- 1) Gamers Co. approached Macho Games Co. for the electronic chips used in the game console so that interoperability may be achieved. Macho refused. Gamers Co. reverse engineered the chips and used them in the manufacture of their own products. Macho Games Co. has now sued Gamers Co. Advise Gamers Co. of possible defences.
- 2) Enumerate the remedies available to the rights holder under the Semiconductor Integrated Circuits Layout-Design Act, 2000.

VII. What do you understand by industrial designs? How are they relevant as an industrial property? Explore the salient features of the legislative framework of protection of industrial designs in India.

VIII. Explain the advantages of standardization of technology in the marketplace. How do competing players deal with such essential standards, in view of patents over inventions relating to them? With the help of specific examples, illustrate your position.
