

HONS.06/004/22

B.A. LL.B., (Hons) DEGREE SIXTH SEMESTER EXAMINATIONS, MAY 2022

INTRODUCTION TO INTELLECTUAL PROPERTY RIGHTS

This question paper consists of 3 parts. All parts are to be answered compulsorily.

Time: 3 Hours

Total Marks: 50

Part-A

Write Short notes on any 2 of the following (2 x 5 = 10)

1. Drafting of Patent Specification
2. Trade secrets
3. Bio-piracy
4. Moral rights of authors
5. Communication to the public

Part- B

Write essays on any 3 of the following (3 x 10 = 30)

1. “**Defining** the nature and scope of the Fair Use doctrine has become an issue of great concern not just to authors, but to the industries that produce and distribute their creative works, and to the public, which consumes and uses these works in ways both fair and **not.**” Elucidate with relevant provisions and case laws.
2. Explore the major theories on intellectual property. Provide jurisprudential explanations
3. Elucidate the significance of registration of trademarks in India. What are the grounds of refusal of registration for trademarks? What are the exceptions to the same? Cite relevant legal provisions and case laws.
4. Explain the significance of inventions in achieving progress. How are they different from discoveries? How are inventions protected as an intellectual property right in India?

(PTO)

Part- C

Answer any 2 of the following (2 x 5 = 10)

1. M/s. Trichem Ltd. manufacture a prescription tablet called 'Fevago' for fever and this brand has been available since the 1970's in India (TM registered and renewed since 1972). Travel Now Ltd. wants to use the name 'Fevago' for their new tour packages and would like to trademark the same. Discuss.
Note: - Medicine preparations are registered under Trademark Class 5, while Trademark Class 39 pertains to transport and travel arrangements
2. New Thoughts Books Ltd. would like to translate books written by Japanese author Haruki Kawabata (1950-2019) to Indian regional languages. What are the steps that they must adopt in order to do so?
3. Dr. B has invented a new chemical that is shown to treat contamination in water, converting it to safe drinking water. She presented the same at a conference in Mumbai in January 2022. Now, she wants to patent the same. Advice Dr. B.
