

HONS. 07 / 005 / 23

B.A., LL.B. (Hons.) DEGREE SEVENTH SEMESTER EXAMINATION, NOVEMBER 2023

INTELLECTUAL PROPERTY RIGHTS: PRINCIPLES AND PRACTICES

Time: 3 Hours

Maximum Marks: 50

Note: This Question Paper Consists of Three Parts

PART – A

Answer Any THREE questions (3 x 10 = 30)

- I. Enumerate the different ways in which intellectual property rights may serve as significant business and corporate assets.
- II. What do you understand by traditional knowledge? What is its significance? How is it protected within the framework of intellectual property rights in India?
- III. Explain the significance of Geographical Indications (GIs) as a collective intellectual property. How are GIs protected in India?
- IV. What do you understand by Industrial Designs? Explain their role as an industrial property and enumerate the legal instrument/s that protect them in India.
- V. “Intellectual property is inherently pro-competitive as it ensures the protection of differentiated, intangible business assets.” Critically comment, in view of standard essential patents.

PART B

Write a Short Note on Any TWO of the following questions (2 x 5 = 10)

- VI. Extant variety of plants
- VII. TRIPS Agreement
- VIII. Layout designs of integrated circuits
- IX. Compulsory licensing of medicines in India

(P.T.O)

PART C

Answer Any TWO of the following questions (2 x 5 = 10)

X. Mr. X, a farmer, wants to buy seeds from a neighbouring farmer, Mr. Y, who produces high yielding variety of pulses. If the seeds used by Mr. Y initially, in the past harvest cycle were bought from a seed company MMS Ltd. who bred and developed the said high yielding varieties, advice Mr. Y about the legality of sale of his seeds to Mr. X.

XI. A Gaming company employs software engineering graduates with no prior experience and trains them to build videogames, and as part of the terms of their employment, restricts them from starting or working in a rival company for 5 years from the last date of their employment in the present company. Mr. C, an employee of the company for 8 years wants to set up a company that makes videogames, after quitting his present employment. Advice Mr. C about the possibility of the same.

XII. M/s. DMT Steel Ltd. manufacture ribbed steel bars used in construction, for which they had obtained patent in 1990, as its specific features contribute to the quality and strength of the construction. In 2022, they registered the ribbed design of the steel bars as an industrial design under the Designs Act, 2000. They would like to sue a company that is also selling similar ribbed steel bars in the market. Advice M/s. DMT Steel Ltd. regarding potential remedies.
