

**HONS. 06 / 004 / 23**

**B.A., LL.B. (Hons.) DEGREE SIXTH SEMESTER EXAMINATION, MAY 2023**

**INTRODUCTION TO INTELLECTUAL PROPERTY RIGHTS**

**Time: 3 Hours**

**Maximum Marks: 50**

**Part-A**

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

1. Can intellectual property be considered as property? With the help of theoretical and jurisprudential tenets of property, justify and establish your position.
2. Define Intellectual Property. How is it classified? Enumerate the different categories of intellectual property as well as explain their features and contemporary significance.
3. What do you understand by patent eligibility? Explain the criteria applied by the Indian Patent Office in determining patent eligibility. Utilize relevant statutory provisions and case laws to explain the same.
4. "Today, trademarks comprise the most valuable industrial property globally, as well as the category of intellectual property that faces the most innovative rivalry". Do you agree with this statement? Explain the novel forms of such rivalry that trademarks have been subject to, as well as the legal remedies for the same.
5. What do you understand by 'Idea-Expression dichotomy' in Copyright law? What is its significance? Explain, with the help of relevant legal authorities.

**Part- B**

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

1. Patent specification
2. Moral rights of authors
3. Anton Piller Order
4. Pre-grant patent opposition

**Part- C**

**Answer any 2 of the following**

**(2 x 5 = 10)**

1. Manufacturing company GF Foods Ltd. has been marketing crispy dosa batter since 1988 in Kochi. They want to trademark 'Crispy Dosa Batter' as a wordmark and market the product across Kerala. Advise GF Foods Ltd. regarding the feasibility of their trademark application.
2. Mr. C, the producer of a new movie featuring a Bollywood superstar, wishes to release the same in theatres across the world this week. He has come to the knowledge that some digital copies have been unauthorizedly possessed by an individual, who habitually uploads newly released movies through certain illegal sites and platforms. Advise Mr. C about potential actions that he may undertake.
3. Life Drugs Ltd. has successfully obtained a patent for a purely herbal mosquito repellent that has no side effects and has extremely high efficiency, and are planning to launch their product in the market soon. Residents of the hilly Malaya, a State in the Union of India regularly suffer from Malaria (a disease caused by mosquitoes) which assumes epidemic-like proportions at times. The Agricultural University of Malaya studied the repellent, and successfully replicated the same in their laboratory. They want to deploy these to all the households of Malaya at the cost of INR 10 per repellent. Advise the Agricultural University of Malaya regarding the legality of their proposed venture.

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