

HONS. 07/007/24

**B.A., LL.B. (Hons.) DEGREE SEVENTH SEMESTER EXAMINATION,
NOVEMBER 2024**

INTELLECTUAL PROPERTY RIGHTS: PRINCIPLES AND PRACTICES

Time: 3 Hours

Maximum Marks: 50

Note: This Question Paper Consists of Three Compulsory Parts

PART – A

Answer Any THREE questions (3 x 10 = 30)

- I. Explain the significance of the Geographical Indications of Goods (Registration and Protection) Act, 1999.
- II. How is community knowledge and local knowledge protected as an intellectual property in India?
- III. What are Industrial designs? Are they considered as a significant industrial property? Clarify, with the help of the legal structure governing industrial designs in India.
- IV. Define Trade secrets. Elucidate the requirements that lead to an information being considered as a trade secret. In your opinion, is the legal protection afforded to trade secrets in India, adequate? Substantiate.
- V. What is the relevance of the Semiconductor Integrated Circuits Layout Designs Act, 2000?

PART B

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

- VI. Extant Varieties of plants
- VII. WTO TRIPS Agreement
- VIII. Standard Essential Patents
- IX. General principles applicable to the working of patented inventions

(PTO)

PART C

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

X. A compound XYZ has been proven to be of immense benefit to fight Goitre, usually caused by iodine deficiency. XYZ was granted patent, and the patent holder is True Tech, a start up. A well-established pharma company, BioPharma wants to licence XYZ, but True Tech refused. BioPharma wants to apply for a compulsory license. Advise BioPharma.

XI. Ms.B, a law student realizes that a traditional variety of green gram grown by her community for generations could be registered as a geographical indication. Elucidate the steps of registration of the gram as a GI.

XII. Prooflite is an industrial grade sealant (used for sealing surfaces) that has been available in the Indian market since 1980's. It has a colour combination of yellow and blue, and was available in tins. Recently, they switched over to plastic tube format for convenience, but retained the same colours and design, for which they have successfully obtained registration. Astra Seals now launched their own sealant, and Prooflite claims that their design has been infringed. Astra Seals do not dispute the similarity between the designs but challenged the protectability of Prooflite's design. They claim that Prooflite's design was not visually appealing. Discuss.
