

LL.B. DEGREE SIXTH SEMESTER EXAMINATION, MAY 2024

INTRODUCTION TO INTELLECTUAL PROPERTY RIGHTS

Time: 3 Hours

Maximum Marks: 50

Part A

Answer *any three* questions. Each question carries *Ten* marks

(3\*10 =30 Marks)

- I. What are intellectual property rights? What are their essential features and characteristics? Explain briefly the different categories of intellectual property.
- II. Enumerate and explain the major theories that justify intellectual property. In your opinion, does intellectual property fully satisfy the requirements of a property?
- III. Explain the significance of the concept of 'Fair dealing' in India. Within our legislative framework, is it an exception to rights of the copyright holder?
- IV. Charles H. Duell, the Commissioner of US Patent Office in 1899, opined that "everything that can be invented has been invented." Do you agree with this statement? How does the patent legislation in India judge the patentability of an invention?
- V. With particular reference to recent developments, explain the expansion of the scope of protection of trademarks, as well as the inventive ways in which law tries to protect the rights of the trademark owner in the course of trade and commerce.

Part B

Answer *any two* questions. Each question carries **five** marks

(2\*5 =10 Marks)

- VI. Trade Secrets
- VII. Mareva Injunction
- VIII. Idea Expression Dichotomy
- IX. Industrial designs

Part C

Answer *both* questions. Each question carries **five** marks

(2\*5 = 10 Marks)

- X. Ultimate Shoes X Ltd. has been selling unique red soled luxury shoes globally since 1920's. They want to register these soles in India as their trademark. Advise Ultimate Shoes X Ltd.
- XI. Mr. B, a music composer, delivered some hit songs, one of which was a rendition of a folk song. The community where the song originally came from in the 1930s, claim that they were not contacted by Mr. B, and that their consent was not sought. Discuss.

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