

ONE YEAR LL.M. DEGREE FIRST SEMESTER EXAMINATION JULY 2021

TRIPS AND IP REGIME IN INDIA

Answer the following (5 x 10=50)

Time :3 Hours

Maximum Marks: 50

Answer ALL questions. Each question carry TEN marks (5*10 =50 Marks)

Module 1 (Time 10 a.m-10.45 a.m (35 minutes for writing and 10 minutes for uploading)

- I. 1. Explain the major theories that justify intellectual property rights and their prominence in today's economic and political structure.

OR

2. Write short notes on any two of the following (2 x 5 = 10):-
- Paris Convention, 1883 and its significance
 - The relevance of the Doha Declaration
 - Patent Cooperation Treaty

Module 2 Time 10.45 a.m-11.30 a.m (35 minutes for writing and 10 minutes for uploading)

- II. 1. "Today intellectual property rights are a major decision-making factor in international trade negotiations and agreements". Elucidate.

OR

2. Explain the innate flexibilities available to WTO members in enforcement of intellectual property rights as per the TRIPS Agreement. In your opinion, are they sufficient, especially from the perspective of developing and least developed countries? Cite relevant references in support of your answer.

Module 3(Time 11.30 a.m-12.15 p.m (35 minutes for writing and 10 minutes for uploading)

- III. 1. "In 2005, India reintroduced norms in pharmaceutical patenting in order to comply with its obligations as a WTO member". Critically analyze the significance of the changes effected in the Indian industrial sectors by such amendment to the patent regime in India.

OR

2. Examine the changes effected to the Indian intellectual property regime through the adherence to India's international obligations as part of TRIPS Agreement.

Module 4((Time 12.15 p.m-1.00 p.m (35 minutes for writing and 10 minutes for uploading)

- IV. 1. “Most of traditional knowledge is not properly documented and perhaps that is where the discussion on issues around TRIPS should begin”. Critically comment, with particular reference to India.

OR

2. From the perspective of the pandemic COVID-19, examine the statutory flexibilities available to India in fulfilling its public health obligations to its people. In your opinion, have they been adequately utilized in the current situation?

Module 5(Time 1.00 p.m-1.45 p.m (35 minutes for writing and 10 minutes for uploading)

- V. 1. Explore the relevance of protection of intellectual property in the digital domains.

OR

2. What do you understand by transfer of technology? How is it relevant to scientific progress? Explain with the help of illustrations/case studies.