

**ONE YEAR LL.M DEGREE EXAMINATIONS, JANUARY 2021**

**TRIPS AND IP REGIME IN INDIA**

**Time: 3 Hrs**

**Maximum Marks: 50**

**Answer ANY FIVE of the following  
Each question carries TEN marks**

**( 5 x 10 = 50)**

1. “A fair and balanced system of Intellectual Property Rights is key for establishing a conducive environment for creators and at the same time ensuring the even spreading of innovation and progress.” Explain the role played by intellectual property systems in defining the trade environment of an economy or a country.
2. “The TRIPS Agreement neither defines *sui generis* nor elaborates what makes the *sui generis* system ‘effective’”. Keeping in mind the Protection of Plant Variety and Farmer’s Rights Act, 2001, examine the model of protection of plant varieties as a *sui generis* right in India.
3. “For an emerging superpower still mired in immense domestic poverty and public health crises, fundamental changes to India’s patents regime did not come quickly or without controversy”. Explain this statement with necessary illustrations.
4. Examine the role played by intellectual property in the digital economy. With the help of any particular industry, highlight the significance of intellectual property rights in the modern digital commercial fields.
5. “The TRIPS Agreement is an attempt to narrow the gaps in the way intellectual property rights are protected and enforced around the world and to bring them under common international rules”. Elaborate.
6. Write short notes on any 2 of the following-
  - a. World Intellectual Property Organization
  - b. Relevance of Geographical indications as commodities in trade
  - c. Significance of Berne Convention, 1886
7. “For many years trade secrets have been in the shadows, but today they are gaining traction as an effective way to protect certain intellectual assets.” Comment on and clarify this statement.
8. “The business models of most biotechnology companies often rely heavily on intellectual property rights.” With special reference to patents, illustrate the standards of protection afforded by intellectual property rights network to biotechnology industry.