

Nineth Semester B.A. LL.B. 5 Years Course (C.B.S.) Examination

INTELLECTUAL PROPERTY LAW

Paper—3

Time : Three Hours]

[Maximum Marks : 80

Note :— (1) **ALL** Sections are compulsory. Section-A carries **10** marks. Section-B carries **30** marks. Section-C carries **40** marks.

(2) Follow the instructions given in each Section.

(3) Marks are indicated against each question.

SECTION—A

(Multiple Choice Questions)

1. Choose the correct alternative (any **TEN**) : 1×10=10

- (i) Universal Copyright Convention came into force in the year _____.
(a) 1970 (b) 1965
(c) 1950 (d) None of the above
- (ii) _____ is the present Director General of World Intellectual Property Organization.
(a) Kamil Idris (b) Bernard Shaw
(c) Francis Gurry (d) Ban Ki-moon
- (iii) Who can register Geographical Indication ?
(a) Individual (b) Company
(c) Producers (d) None of the above
- (iv) _____ is the First International Convention formed for the protection of Intellectual Property Rights.
(a) Paris Convention (b) TRIP Agreement
(c) Madrid Convention (d) None of the above
- (v) The Indian Patent Act was enacted in the year :
(a) 1957 (b) 1999
(c) 1974 (d) 1970
- (vi) The Controller General of Patents is appointed by :
(a) Central Government (b) State Government
(c) Both (a) and (b) (d) None of the above
- (vii) Certificate mark can be registered in :
(a) Trademark Registry (b) Certification Board
(c) Quality Control Board (d) MHRD

(viii) Every year on _____ World Book and Copyright Day is celebrated by UNESCO.

- (a) 2nd October (b) 14th April
(c) 23rd April (d) None of the above

(ix) _____ of the Copyright Act deals with the modes of assignment.

- (a) Section 17 (b) Section 18
(c) Section 19 (d) Section 20

(x) A method of agriculture and horticulture is :

- (a) Patentable (b) Non-patentable
(c) Can't say (d) None of the above

(xi) Intellectual Property Rights (IPR) protect the use of information and ideas that are of _____.

- (a) Ethical value (b) Moral value
(c) Social value (d) Commercial value

(xii) In India, the literary work is protected until _____.

- (a) Lifetime of author (b) 25 years after the death of author
(c) 40 years after the death of author (d) 60 years after the death of author

(xiii) Which of the following is included in Geographical Indications of Goods ?

- (a) Handicraft (b) Foodstuff
(c) Manufactured (d) All the above

(xiv) Design does not include _____.

- (a) Feature of shape (b) Composition of lines or colours
(c) Mode or principle of construction (d) None of the above

(xv) A mark which nearly resembles the other marks as to be likely to deceive or cause confusion is called _____.

- (a) Collective mark (b) Well known Trademark
(c) Deceptively similar (d) None of the above

SECTION—B

(Short Answer Questions)

2. Write short notes on (any **THREE**) :

5×3=15

- (a) Discuss the rights of Patentee.
(b) What is Anton Piller order ?
(c) Distinguish between passing off and deceptive similarity of trademarks.
(d) What is traditional knowledge ?

3. Write short notes on (any **THREE**) :

5×3=15

- (a) Bern convention
- (b) Performer's right
- (c) Copyright board
- (d) World Intellectual Property Organisation.

SECTION—C

(Long Answer Questions)

Answer the following (any **FIVE**) :

8×5=40

- 4. Define patent. State which inventions are not patentable.
- 5. What are the subject matters in which copyright subsists under the Copyright Act ? Do you think that the Act provides protection to an idea ?
- 6. Explain the essentials of valid design.
- 7. What is trademark ? Explain the different kinds of trademarks.
- 8. Write a detailed note on author's special rights in the light of judicial decisions.
- 9. What do you mean by revocation of patent ? State the grounds of it.
- 10. Critically examine the legal regime for the protection of plant varieties and Farmers Rights Act.
- 11. Explain the procedure for registration of Geographical Indications in India.