

Fourth Semester LL.B. Three Years Course (C.B.S.) Examination

INTELLECTUAL PROPERTY LAW

Compulsory Paper—2

Time : Three Hours]

[Maximum Marks : 80

N.B. :— (1) Attempt **ALL** sections. Section A consists of **10** marks, Section B consists of **30** marks, Section C consists of **40** marks.

(2) Follow the instructions given in each section.

(3) Marks are indicated against each question.

SECTION—A

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

- (i) An organisation WTO works under the patronage of :
 - (a) BCCI
 - (b) UNO
 - (c) NAO
 - (d) None of the above
- (ii) The term 'cybersquatting' is related with :
 - (a) Domain name
 - (b) Literary work
 - (c) Cinematograph
 - (d) None of the above
- (iii) The Indian Patents Act came into existence in the year :
 - (a) 1970
 - (b) 1957
 - (c) 1999
 - (d) 2000
- (iv) Section _____ of Copyright Act, 1957 deals with the Author's special rights.
 - (a) 57
 - (b) 44
 - (c) 13
 - (d) 31
- (v) The IPRs in Geographical Indications is a _____ right.
 - (a) Special
 - (b) Collective
 - (c) Individual
 - (d) All the above
- (vi) PCT stands for :
 - (a) Provisional Co-operation Treaty
 - (b) Patent Co-operation Treaty
 - (c) Peace Co-operation Treatment
 - (d) None of the above
- (vii) In a successful copyright infringement case, the Plaintiff can recover :
 - (a) Profits made by copyright infringer
 - (b) An order requiring the destruction of infringing works
 - (c) An injunction preventing future infringements
 - (d) All the above
- (viii) Which one of the following can not be exploited by assigning or by licensing the rights to others ?
 - (a) Patent
 - (b) Copyright
 - (c) Trade marks
 - (d) None of the above
- (ix) In India, the literary work is protected until :
 - (a) Life time of author
 - (b) 25 years
 - (c) 40 years
 - (d) 60 years after the death of author
- (x) Design does not include :
 - (a) Features of shape
 - (b) Composition of lines or colours
 - (c) Mode or principle of construction
 - (d) None of the above

- (xi) Which of the following is included in Geographical indication of goods ?
 (a) Handicraft (b) Foodstuff
 (c) Manufactured (d) All the above
- (xii) The term of patent is :
 (a) 60 years (b) 40 years
 (c) 20 years (d) None of the above
- (xiii) The term 'Passing OFF' relates to :
 (a) Sale of goods
 (b) Rendering of services
 (c) Selling of goods or services by misrepresentation
 (d) None of the above
- (xiv) Yahoo Inc. vs. Akash Arora case deals with :
 (a) Copyright (b) Patent
 (c) Domain name (d) Trade design
- (xv) Intellectual property rights covers :
 (a) Trademarks (b) Design
 (c) Layout design and semiconductor (d) All the above

SECTION—B

Note :— Both questions in this section are compulsory.

2. Answer the following (any **THREE**) : 5×3=15
 (a) Explain Anton Pillar order.
 (b) What are the Defences available in copyright infringement ?
 (c) Explain the conditions for patentability.
 (d) Write note on Passing OFF action.
3. Write short notes on (any **THREE**) : 5×3=15
 (a) WIPO.
 (b) Patent Co-operation Treaty.
 (c) Traditional Knowledge.
 (d) TRIPs.

SECTION—C

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

8×5=40

4. Elaborate the rights and obligations of Patentee.
5. Explain the meaning of infringement of copyright. What are various remedies available to the copyright owner ?
6. Describe the procedure for obtaining patent.
7. Write a note on World Trade Organisation.
8. Define trade mark. State the absolute grounds for registration of trademark.
9. Explain the procedure for registration of copyright.
10. Discuss the salient features of Geographical Indication Act.
11. Write short notes on :
 (a) Performers rights
 (b) Author's special rights.