

(c) Mr. B declares that he has invented a ball which instead of falling to the ground rises up in the air, defying the principle of gravity.

- Can Mr. B seek a patent for the invention?
- Explain the legal provision applicable.

4. Answer any four of the following :-

- Discuss the absolute grounds for refusal of registration of Trade-marks.
- Explain suit for infringement of Trade mark. What defences are available for the defendant.
- Discuss "All inventions are not patentable"
- Explain the need for protection of Intellectual Property Rights.
- What is Passing of Distinguish between an action of infringement and passing off?
- Comment on ownership of Copyright.

48

(मराठी रूपांतर)

(3 तास)

(एकूण गुण : १००)

- सूचना : (१) सर्व प्रश्न सोडविणे आवश्यक आहे.
 (२) योग्य ठिकाणी संबंधित न्याय मिर्णय लिहा.
 (३) उजवीकडे नमूद केलेले अंक पूर्ण गुण दर्शवितात.

१. प्रत्येकी दोन-तीन वाक्यात उत्तरे द्या.

२०

- 'संग्रहित व्यापार चिन्ह' म्हणजे काय?
- एकस्व म्हणजे काय?
- 'अविष्काराची पायरी' संज्ञेची व्याख्या लिहा.
- 'कलात्मक कृतीचे' प्रतिलिपी अधिकार किती वर्षे उपलब्ध आहेत?
- 'प्रदर्शन कर्ता' म्हणजे कोण?
- 'अभिकल्प', संज्ञा स्पष्ट करा.
- 'नोंदणीकृत मालक (प्रोप्राइटर)', संज्ञा स्पष्ट करा.
- व्यापारचिन्ह कायदा, १९९९ अंतर्गत नोंदणीकृत उपभोगता म्हणजे कोण?
- कुठल्या कृतीत/रचनेत प्रतिलिपी अधिकार आढळतात?
- 'संबोधित (इंडिकेशन)', म्हणजे काय?

[TURN OVER]

217
46
72

(3 Hours)

[Total Marks : 100]

- N.B. : (1) All questions are **compulsory**
 (2) Cite **Case law** wherever necessary
 (3) **Figures** to the **right** indicate **full marks**.

1. Answer the following in 2-3 sentences each

- What is a collective mark?
- What is meant by patent?
- Define an inventive step
- What is the term of copyright of an Artistic work.
- Who is a performer?
- Explain the term design
- Explain "Registered Proprietor"
- Who is a registered user under the Trade marks Act, 1999?
- State the works in which copyright subsists.
- Explain the term Indication

20

2. Write short notes on **any four** of the following :-

- Berne Convention
- Reasonable requirement of the public.
- Well known Trade Mark
- Infringing Copy
- Compulsory Licensing in Patents
- Prohibition of Registration of certain names of chemical elements or international non-proprietary names.

20

3. Solve **any two** of the following national problem

- Three photographers of the Taj Mahal take photographs of the Taj Mahal from different corners.
 - Can the three photographers claim copyright for their respective photographs?
 - Explain the legal provision applicable
- Applied for registration of the word "Ustickon" in respect of rubber soles for shoes. The Registrar of Trade marks refused to register the word as Trade Mark.
 - Is the Registrar of Trade Marks Justified to reject the registration?
 - Explain the legal provision applicable

12

[TURN OVER]