

N.B.: (1) There are no **sections** in the questions paper.

(2) Answer question No.2 and 4 with reference to some illustrations wherever **required**.

1. Answer the following in not more than **two** sentences :- 20

- (a) State in which 'works' copyright subsists ?
- (b) What amount to infringement of patent?
- (c) Define a 'Registered user' under Trade marks Act, 1999 ?
- (d) Who can apply for registration of Design?
- (e) What are not inventions under the patents Act?
- (f) What is period of Assignment of copyright?
- (g) Define 'Collective Trade Mark'.
- (h) What do you understand by the term 'Biotechnology' ?
- (i) What do 'Geographical Indication' U/section 2(e) means?
- (j) Why, according to you there should be protection of Intellectual Property Rights?

2. Write short notes on any **four** of the following :- 20

- (a) process patent
- (b) Copyright Board
- (c) Anton Pillar Injunction
- (d) Patent Co-operation Treaty
- (e) Author's Special Rights
- (f) Compulsory Licences.

3. Attempt any **two** with reasoned answers :- 12

- (a) A Actress named 'Britney', wants to apply for registration of her personal name "BRITNEY" as a trademark for "Beauty Salon".

Will the mark be regarded as distinctive ? Why ?

- (b) Aneel applies for a patent in respect of an invention and the same is granted by the patent office in India in the Year 2000.

- (i) How long Aneel can have the Exclusive right in respect of the invention?
- (ii) Can Aneel take an action for Infringement against a manufacturer who is making the invention in foreign country? Why?
- (ii) Can Aneel get a patent in UK in respect to the same invention, if he applies in 2002 ? Why ?
- (c) Dr. Nishant has written a book on Intellectual Property Rights. The Book has been published by leading Publisher Butterworths.
 - (i) Who is the author of the work ?
 - (ii) A students from Law College quoted from this Book in their LL.B. Exam. will this amount to infringement? Why?
 - (iii) One Mr. Raj made 10 photocopies of this Book and distributed among his friends. Will this amount to infringement? Why?

4. Answer any **four** out of the following :-

- (a) What is a trademark? What are the qualities of a good trade mark? Explain the trade marks which cannot be registered.
- (b) Who can oppose grant of patent and on what grounds? What is the procedure for opposing a patent?
- (c) Distinguish between (i) Passing off and Infringement Action of Trademark.
(ii) Write short note on 'fair use'.
- (d) Define the term Intellectual property. Explain the main features of this property .

be in detail the acts which do not constitute an infringement of copyright under the copyright Act, 1957.

- (f) Discuss the grounds for refusal of registration of a trademark under the Trademarks Act, 1999.

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