

(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 well known trade mark?
- What is meant by patent?
- Define invention
- What is the term of copyright of a sound-Recording?
- Explain the term performance.
- Explain the term Design
- Explain " Indian work".
- Who is "registered user" under the Trademark Act 1999?
- State the works in which copyright subsists.
- Explain the term goods in Trade Mark Act 1999.

20

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

- Function of a Trade-Mark
- Reasonable requirements of the public
- Good Trade Mark
- Joint Authorship
- Compulsory Licensing in Patents
- Prohibition of Registration of certain Design.

20

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

- The famous Trade -mark TATA is a surname
 - Which provision of the Trade mark act enables the surname to be used as Trade mark, despite the express provision that surnames per se are unregistrable
 - Name the authority involved in Registration of marks.
- Mr. X a painter of an advertisement poster claims copyright for the painting on the poster.
 - Will the Mr. X succeed to get copyright for the painting.
 - Explain the legal provision applicable.

12

An Adivasi in a remote jungle not exposed to civilization invents an arc made of sharpened stone fixed to a stick to kill prey The adivasi when he strayed into the city is advised to apply for a patent for his invention.

[TURN OVER]

- (i) In the above case will the Adivasi succeed to get a patent for his invention.
- (ii) Explain the legal provision applicable

4. Answer any four of the following :-

- (i) What is Deceptive similarity?
- (ii) Explain the nature and forms of Intellectual Property Rights
- (iii) What are the rights and duties of a patentee in respect of the patent granted to him?
- (iv) Define the terms " Broadcast" and " Performer" Discuss the right of the Broadcasting Organisation and of performers
- (v) " Copyright is a bundle of right" Explain.
- (vi) Explain the grounds of refusal for registration of Trade -Marks

(मराठी रूपांतर)

(3 तास)

(एकूण गुण : १००)

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

१. प्रत्येकी दोन-तीन वाक्यात उत्तरे द्या.

- (अ) 'लोकमान्य / नाव लौकिक' व्यापारचिन्ह म्हणजे काय ?
- (ब) एकस्व म्हणजे काय ?
- (क) 'अविष्कार' संज्ञा स्पष्ट करा.
- (ड) 'ध्वनीमुद्रणे' प्रतिलिपी अधिकार किती वर्षांसाठी प्राप्त होतात ?
- (इ) 'प्रदर्शन' संज्ञा स्पष्ट करा.
- (फ) 'अभिकल्प', संज्ञा स्पष्ट करा.
- (ग) 'भारतीय रचना', स्पष्ट करा.
- (ह) व्यापारचिन्ह कायदा, १९९९ अंतर्गत नोंदणीकृत/पंजीकृत उपभोगकर्ता म्हणजे कोण ? कुठल्या रचनेत प्रतिलिपी अधिकार आढळतात ?
- (ज) व्यापारचिन्ह कायदा, १९९९ अंतर्गत 'माल/वस्तू' संज्ञा स्पष्ट करा.

[TURN OVER]