

Time: 2 Hours

Marks: 60

Q.1 Answer any six of the following in one or two sentences:

(12)

- a) Explain Product Patent and Process Patent.
- b) What is a Certification Mark?
- c) Who are the persons qualified to apply for a patent?
- d) What is an intellectual property?
- e) State any two grounds of refusal for registration of trade mark.
- f) Explain the term 'Performer'.
- g) What is Adaptation?
- h) What is the term of Copyright in literary works in India?

Q.2 Write Short Notes on any Two of the following:

(12)

- a) Patent of Addition
- b) Different types of trade marks
- c) Works in which copyright subsists
- d) Importance of Geographical Indications

Q.3 Answer any Two of the following situation problems:

(12)

- a) Mr. Mani has invented a new method of treatment for the removal of Renal stones which is incisionless and painless. Mr. Mani applies for registration of patent for the invention of his new method of treatment.
  - (i) Will Mr. Mani succeed in getting a patent?
  - (ii) State the provisions of the law in support of your answer.
- b) Dr. Ahuja starts manufacturing a medicine under the trademark CURE-IT, which is not registered. Subsequently, Villa & Co. Ltd. registers the mark CURE-IT and starts using it.
  - (i) Can Dr. Ahuja file a suit for infringement of his trade mark?
  - (ii) What remedies are available to Dr. Ahuja?

- c) Rainbow Entertainment announced an animated film on the life of Chhatrapati Shivaji Maharaj. Hazy Skies Ltd. filed a suit prohibiting Rainbow Entertainment from proceeding with the animated film on the ground that their own tele-serial was based on Chhatrapati Shivaji Maharaj which was already being aired on XYZ Channel.
- (i) Whether Hazy Skies Ltd. has a valid claim?
  - (ii) Can anyone have a copyright over historical legendary characters?
- d) "A" is a manufacturer of a medicine which cures diabetes. He holds the patent for the same. "B" wants the license to manufacture so that it can reach to large number of people suffering from diabetes.
- i) Can B apply for compulsory licence if A refuses to give?
  - ii) Discuss the conditions to obtain compulsory license

**Q.4 Answer any two of the following in detail:**

**(24)**

- a) Enumerate the different kinds of intellectual properties with examples and explain their importance in the global scenario.
- b) What acts do not amount to infringement of copyrights?
- c) Elucidate the absolute and relative grounds of refusal for trade mark registration.
- d) Enlist the inventions that cannot be patented under The Patents Act, 1970 with illustrations.

Intellectual Property Law.

Correction in Q.P.Code: 10053777

English Version

Q1 – Two questions to be added a

- i) Explain the term Mark as defined in Trademark Act
- j) Explain the term Invention as defined in the Patent Act

Q3 - Please delete sub question number (d)

मराठी भाषांतर

प्रश्न क्रमांक १ मध्ये जोडा

i) ट्रेडमार्क कायद्यात परिभाषित केल्याप्रमाणे मार्क या शब्दाचे स्पष्टीकरण करा

j) पेटंट कायद्यात व्याख्या केल्याप्रमाणे आविष्कार या शब्दाचे स्पष्टीकरण करा

प्रश्न क्रमांक ३ मधील प्रश्न क्रमांक (ड) काढून टाका.