

Reg. No. : .....

Name : .....

**Tenth Semester B.A. LL.B./B.Com. LL.B./B.B.A. LL.B.  
(Five Year Integrated) Degree Examination, April 2020**

**PAPER I : TRADE IN INTELLECTUAL PROPERTY**

Time : 3 Hours

Max. Marks : 80

**PART I**

Answer any **five** questions. Each question carries **2** marks.

Write notes on :

1. Functions of Patent
2. Copyright Society
3. Concept of Deceptive similarity
4. Performer's rights
5. Criteria for protection of Industrial Design
6. Breeder's Rights
7. International character of Intellectual Property
8. Service Mark

**(5 × 2 = 10 Marks)**

**PART II**

Answer any **four** of the following. Each question carries **4** marks.

1. How would you characterise the concept of Intellectual Property?
2. What are the objects of Patent Law?

3. What is the concept of Passing off? How is it different from infringement?
4. What is Copyright?
5. Discuss the relevance of registration of Trademarks.
6. Write briefly about Breeder's rights.

(4 × 4 = 16 Marks)

### PART III

Answer any **four** of the following. Each question carries **6** marks.

1. BGM, a musical company has started a musical instruments shop named as 'Swararagalaya' : AMG, another music company also started a musical instruments shop named 'Sapthaswaralaya'. BGM filed a suit for infringement of their Trademark. Decide.
2. Mr. X has narrated a plot for a story and created characters for the story. He discussed the sequence of events to be included in the story to Mr. Y. Mr. Y has expressed those in literary form and claimed as the sole author of the literary work. Mr. X claimed as the joint author. Decide.
3. 'A' as employee of Probiotics Pvt. Ltd. invented a process after much efforts. Subsequently Probiotics applied for patents in its name. 'A' challenges probiotic's application. Decide.
4. 'X' and 'Y' filed patent application with provisional specifications for the same invention on the same date. There after 'X' filed complete specification before 'Y'. Subsequently 'Y' also filed complete specification within the allowed time. Who is entitled to patent?
5. 'Z' is a registered proprietor of trademark B-cap. 'D' adopted and used the mark Bee-cap with all essential characters of trademark B-Cap. Can D be restrained from using the trademark. Decide.

(4 × 6 = 24 Marks)

#### PART IV

Answer any **three** of the following. Each question carries **10** marks.

1. What are the different types of Trademarks? How are trademarks protected?
2. Examine whether law of intellectual property is local or international in character. Substantiate.
3. Discuss about Assignment, Transmission and Relinquishment of Copyright.
4. Critically examine whether copyright law in India is designed to serve its objectives.
5. Discuss the challenges faced by patent law in the context of new inventions in the field of Biotechnology and plant genetic resources.

**(3 × 10 = 30 Marks)**

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