

P.G. Diploma in Intellectual Property Rights Examination
Nov/Dec 2009

**PAPER-I : INTRODUCTION TO LEGAL THEORY AND LAW AND
 SOCIAL CHANGE**

Time : 3 Hours

Max. Marks : 80

- Note :**
1. Answer All questions.
 2. All questions carry EQUAL marks. Except question no.5. Question no.5 carries 20 marks.
 3. Answer should be supported by reference to the relevant statutory provisions and case laws.
 4. No clarifications can be sought on the question paper. In case of any ambiguity, students are expected to rely on the question paper as it is and respond.
 5. For repeaters max marks 70.

1. a) Discuss Law as the practice of court.

OR

- b) Examine the importance of legislation over other sources of Law.

2. a) Explain 'Law as the system of Rules'.

OR

- b) Describe the circumstances destroying or weakening the binding force of precedent.

3. a) Explain the Court system and proceedings.

OR

- b) Critically examine Law and protective discrimination.

4. a) Discuss the different kinds of property.

OR

- b) What is ownership? Explain the characteristics of ownership.

5. Write short notes on the following.

- a) i) Liability
 ii) Modernization and Law.

OR

- b) i) Obligation
 ii) Industrial reform and environmental protection.

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**PAPER-II : GENERAL INTRODUCTION TO CONSTITUTION AND
RELATED LAWS**

Time : 3 Hours

Max. Marks : 80

- Note :**
1. Answer all questions.
 2. All questions carry EQUAL marks.
 3. Answer should be supported by reference to the relevant statutory provisions and case laws.
 4. No clarifications can be sought on the question paper. In case of any ambiguity, students are expected to rely on the question paper as it is and respond.
 5. For repeaters max marks 70.

- I. a) Explain the provision relating to Reservation in favour of Backward class under the constitution.

OR

- b) Discuss the constitutional safeguards available to an accused person in the constitution.

- II. a) Discuss the relationship between fundamental rights and directive principles of state policy.

OR

- b) Explain the provisions relations to freedom of trade, commerce and business etc, under the constitution.

- III. a) Who is an unpaid seller? Explain his rights.

OR

- b) What is cheque? Distinguish between cheque and promissory note.

- IV. a) Explain the maxim "Damnum-sine-injuria" and "Injuria-sine-Damnum" with the help of illustrations.

OR

- b) Explain the doctrine of "volenti non-fit injuria" with various exceptions.

- V. Write short notes on.

- a) i) Presumptions of Negotiable instruments
ii) Nature of torts

OR

- b) i) Contract of sale
ii) Equality clause under the constitution.

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**P.G. Diploma in Intellectual Property Rights Examination
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**PAPER-III : INTELLECTUAL PROPERTY LAW-I
(Concepts, Patents and Plant Varieties)**

Time : 3 Hours

Max. Marks : 80

Note : 1. Answer all questions.

2. Marks are indicated against each question.

3. Answer should be supported by reference to the relevant statutory provisions and case laws, if any.

4. No clarifications can be sought on the question paper. In case of any ambiguity, students are expected to rely on the question paper as it is and respond.

5. For repeaters max marks 70.

1. a) Explain the meaning and different forms of Intellectual Property.

OR

- b) Critically analyse the provisions of Paris conventions on Industrial property.

2. a) Explain the purpose and policy of Patent system.

OR

- b) Who is eligible to apply for a patent and also explain various categories of persons they can apply for patent.

3. a) What are the essential elements to be satisfied to obtain patent. Critically explain each one of them.

OR

- b) What are the remedies available to a patent holder for infringement of his patent right.

4. a) Examine the rights of farmers under the protection of plant varieties and farmers rights Act 2001.

OR

- b) Critically examine the important features of the Biological Diversity Act.

5. Write short notes on.

- a) i) WIPO

- ii) WTO

OR

- b) i) TRIPS

- ii) Assignment of Patent

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P.G. Diploma in Intellectual Property Rights Examination
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INTELLECTUAL PROPERTY LAW-II
(Copyright, Designs and Integrated Circuits)

Time : 3 Hours

Max. Marks : 80

- Note :**
1. Answer all questions.
 2. Marks are indicated against each question.
 3. Answer should be supported by reference to the relevant statutory provisions and case laws, if any.
 4. No clarifications can be sought on the question paper. In case of any ambiguity, students are expected to rely on the question paper as it is and respond.

5. For repeaters max marks 70.

1. a) What is Copyright? What are the essential ingredients of copy right?

OR

- b) Who is the first owner of copyright in different works? Explain.

2. a) What are rights a copyright holder enjoys?

OR

- b) "Copyright protection to computer software is inadequate" critically examine.

3. a) Explain the functions of copyright tribunal.

OR

- b) What are the permitted rights under Copyright Act.

4. a) Examine the works which are protected under Designs Act.

OR

- b) Explain the remedies available for infringement of design.

5. Write short note.

- a) i) Integrated circuits
ii) Assignment of Copyrights

OR

- b) i) Fair use
ii) Cancellation of registration of design.

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P.G. Diploma in Intellectual Property Rights Examination
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INTELLECTUAL PROPERTY LAW-III
(Trade Marks, Geographical Indicators and Confidential Information)

Time : 3 Hours

Max. Marks : 80

- Note :**
1. Answer all questions.
 2. Marks are indicated against each question.
 3. Answer should be supported by reference to the relevant statutory provisions and case laws, if any.
 4. No clarifications can be sought on the question paper. In case of any ambiguity, students are expected to rely on the question paper as it is and respond.
 5. For repeaters max marks 70.

1. a) What is trademark and explain its significance.

OR

- b) Explain the procedures for registration of Trade Mark.

2. a) What is infringement of Trade Mark and discuss the remedies available for infringements.

OR

- b) What is confidential information and explain its significance.

3. a) "Confidential Information has to find an Independent legal source for its protection other than under copyrights and Paten Acts" critically examine.

OR

- b) Compare GATT and WTO.

4. a) What are penalties for infringement of Trade Marks and geographical indications?

OR

- b) Critically examine the position of "Smell" as trade mark.

5. Write short note.

- a) i) Registered user
ii) Disclaimer

OR

- b) i) Enrolement of Trade Marks Agent
ii) TRIPS
