

GOA UNIVERSITY

G.R. KARE COLLEGE OF LAW

LLB DEGREE SEM VI

INTELLECTUAL PROPERTY RIGHTS - OPTIONAL

OCT 2012,
OCT 2011,
APRIL 2011,
OCT 2010,
APRIL 2010,
OCT 2009,
April 2009,
Oct 2008,
April 2008,
OCT 2007,
April 2007,
OCT 2006,
APRIL 2006,
OCT 2005(Old),



TNY – 64

LL.B. (Semester – VI) Degree Examination, October 2012
INTELLECTUAL PROPERTY LAW

Duration : 3 Hours

Max. Marks : 100

Instructions : 1) Answer **any 10** from Q. No. 1 to 14.

2) **Each** answer carries **equal** marks.

(10×10=100)

1. 'Copyright registration is duration specific'. Explain the tenure of copyright in relation with various categories of work under copyright legislation.
 2. Define artistic work as subject matter of copyright.
 3. 'Ownership is an important aspect under copyright legislation'. Enumerate the terms author and owner of copyright with exceptions.
 4. Discuss the authorities established under the copyright legislation.
 5. 'Passing off is a remedy in case of unregistered trademark'. Critically analyze this statement with relevant case law.
 6. Define the concept, essentials and kinds of a trademark.
 7. 'Registration alone can get protection under trademark legislation'. Discuss the procedure for registration of trademark.
 8. Define infringement and explain the concept of deceptive similarity under the trademarks legislation.
 9. 'Patent is mainly for invention'. Mention the objectives and essential features of patent with examples.
 10. Explain the procedure for obtaining a patent under the Patent legislation.
 11. Enumerate the concept, kinds of specification and mention the non patentable inventions.
 12. Discuss the idea of infringement, modes of infringement of patent with judicial pronouncements.
 13. Mention the need and different kinds of property incorporated under intellectual property law.
 14. Answer the following :
 - a) Literary work and its meaning under copyright legislation
 - b) Non registrable Trademark.
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TNY – 64

LL.B. (Degree) Sem. – VI Examination, April 2012

INTELLECTUAL PROPERTY LAW (02/05/12) Wed.

Duration: 3 Hours

Total Marks: 100

Instructions : i) Answer **any ten** from Q. No. 1 to 14.

ii) **Each** answer carries **equal** marks.

(10×10=100)

1. 'Registration of copyright is voluntary' enumerate in detail the terms of copyright in relation with various kinds of work under copyright legislation.
2. Define Musical work as subject matter of copyright and mention the exceptions in case of infringement of copyright.
3. 'Computer programmes are protectable under copyright legislation'. Critically analyze this in the light of literary work.
4. 'Rights under the copyright legislation are negative rights'. Examine the other rights available to copyright owner under the legislation.
5. Examine in detail the concept, essentials and functions of a trademark.
6. Discuss the remedies and authorities to protect registered trademark.
7. 'Unregistered trademark is protected under civil law'. Explain various modes of passing off with suitable examples.
8. Mention various traditional trademarks and explain the non registrable trademarks under the trademarks legislation.
9. 'Inventions are protectable under Patent legislation'. Mention the objectives and essential pillars of patent with illustrations.
10. Explain in brief the procedure in obtaining a patent under the patent legislation.
11. Enumerate the concept, kinds of specification and mention the essentials of specification.
12. Discuss the various rights and obligations of patentee under the patent legislation.
13. Enumerate the importance, nature and various subjects introduced under intellectual property law.
14. Answer the following :
 - a) Authorities under copyright legislation
 - b) Compulsory licenses under patent legislation.



[Total No. of Questions : 9]

LL.B. (Degree) (Semester - VI) Examination, October 2011
INTELLECTUAL PROPERTY LAW

Duration : 3 Hours

Total Marks : 100

Instructions : 1) Answer any five from Q.No. 1 to Q.No. 8.
2) Q.No. 9 is compulsory.

[5 × 15 = 75]

- Q1)** Explain the procedure for registration of patent.
- Q2)** Discuss the circumstances in which compulsory licence in respect of patents may be granted.
- Q3)** Define patent. Explain the rights and obligations of patentee.
- Q4)** Explain the grounds for refusal of registration of trademark.
- Q5)** What is 'passing off'? Explain various defences available in passing off action.
- Q6)** Discuss the rights of performers under the copyright law.
- Q7)** Explain literary and artistic works as subject matter of copyright.
- Q8)** Explain the role of WTO in the protection of intellectual property worldwide.
- Q9)** Short notes (Answer any FIVE) : [5 × 5 = 25]
- a) Revocation of Patent.
 - b) Powers of Registrar of Trademark.
 - c) Trade libel.
 - d) Goodwill.
 - e) Copyright Board.
 - f) Sound recording.
 - g) Infringement of copyright.

G - 517

[Total No. of Questions : 9]

(Pages : 01)



TNY - 64

LL.B. (Degree) (Semester - VI) Examination April/May 2011
Intellectual Property Law

Duration : 3 Hours

Total Marks : 100

- Instructions :** 1) *Answer any five from Question No. 1 to Question No. 8.*
2) *Question No. 9 is compulsory.*

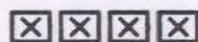
[5 × 15 = 75]

- Q1)** Examine the importance of specification in grant of patent under patent Act.
- Q2)** Discuss the circumstances in which a compulsory licence in respect of patent may be granted.
- Q3)** Define the term 'trade mark'. Examine the functions and essentials of a trade mark.
- Q4)** Explain infringement and examine the circumstances in which use of registered trademark does not amount to infringement.
- Q5)** Explain the procedure for assignment and transmission of trademark.
- Q6)** Who is the first owner of copyright? Explain various works in which copyright subsists.
- Q7)** Discuss in detail the law relating to the right of broadcasting organisation under the copyright Act.
- Q8)** Examine the role of copyright societies in the administration of copyright.

Q9) Short notes (Answer any five) :

[5 × 5 = 25]

- a) TRIPS Agreement.
- b) Restoration of lapsed patent.
- c) Patentable invention.
- d) Deceptive similarity.
- e) Goodwill.
- f) Performer's right.
- g) Author's moral rights.





LL.B. (Degree) (Semester – VI) Examination, October 2010
INTELLECTUAL PROPERTY RIGHTS

Duration: 3 Hours

Total Marks: 100

*Instructions : 1) Answer any 5 from Question No. 1 to Question No. 8.
2) Question No. 9 is compulsory.*

1. Explain the procedure to register a Copyright in India. (5×15=75)
 2. Explain licenses and revocation of Right in Patent.
 3. What are the principles for registration of Trademark ?
 4. What is deceptive similarity ? What are the factors taken into consideration to prove deceptive similarity ?
 5. Explain the civil, criminal and administrative remedies for infringement of trademark.
 6. What is protected in Literary Work ?
 7. What is the nature of rights and term available for copyright ?
 8. Define a Patent and explain inventions which are not patentable.
 9. Short Notes (Answer **Any 5**) : 25
 - 1) Copyright Societies
 - 2) Photograph
 - 3) Estoppel
 - 4) Service Mark
 - 5) Specification
 - 6) Assignment of Trademark
 - 7) Piracy.
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TNY – 64

LL.B. (Degree) (Semester – VI) Examination, April 2010
INTELLECTUAL PROPERTY LAW

Duration : 3 Hours

Total Marks : 100

Instructions : 1) Answer any 5 from question no. 1 to Question No. 8.
2) Question No. 9 is compulsory.

1. Distinctiveness does not give conclusive right to registration of trademark.
Explain. (5×15=75)
2. What is deceptive similarity ? What are the factors taken into consideration to prove deceptive similarity ?
3. Explain the procedure to register a Trademark ?
4. What is protected in Literary Work ?
5. What is the nature of rights and term available for copyright ?
6. Give the test for Infringement of Copyright.
7. Define a Patent and explain inventions which are not patentable ?
8. Outline the exceptions and limitations on a patentee.
9. Short notes (answer any 5) : 25
 - 1) Patentable Invention
 - 2) Functions of Trademark
 - 3) Account of Profit
 - 4) Certification Trade Mark
 - 5) IPR Appellate Board
 - 6) Fair Dealing
 - 7) Cinematograph film
 - 8) Qualification of copyright.



LL.B. (Degree) (Semester – VI) Examination, October 2009
INTELLECTUAL PROPERTY LAW

Duration : 3 Hours

Total Marks : 100

Instructions : 1) Answer any 5 from Question No. 1 to Question No. 8.

2) Question No. 9 is compulsory.

(5×15=75)

1. Define the term “Intellectual Property Rights” and explain the growth and development of IPR in India. 15
 2. Explain the concept and construction of specification. 15
 3. Explain the procedure for registration of patent. 15
 4. What is passing off ? Explain the modern formulation of law of passing off. 15
 5. Copyright subsists in original literary, dramatic and musical work. Explain in detail the subsistence of copyright in these categories of work. 15
 6. Define infringement and explain the essentials of infringement of copyright. 15
 7. What constitutes infringement of patents ? 15
 8. First owner of copyright can avail rights under the Copyright Act, 1957. Explain Authors and Ownership rights in the various categories of work. 15
 9. Short notes (answer any 5) : 25
 - 1) Exceptions to Infringement in copyright
 - 2) Songs
 - 3) Remedies in case of infringement of trademark
 - 4) Performers rights
 - 5) Revocation of Patents
 - 6) Qualifications for the grant of copyright
 - 7) Opposition to grant of patent
 - 8) Patent Agent.
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LL.B. (Degree) (Semester VI) Examination, April 2009
INTELLECTUAL PROPERTY RIGHTS

Duration : 3 Hours

Total Marks : 100

*Instructions : 1) Answer any 5 from Question no. 1 to Question no. 8.
2) Question no. 5 is compulsory.*

(5×15=75)

1. Define the term “Intellectual Property Rights” and explain the growth and development of IPR in India. 15
 2. Define the term Passing Off. What are the defenses available in Passing Off ? 15
 3. Define and explain the term “Trademark”. Mention the essentials of a good trade mark. 15
 4. Define a patent. Explain the rights and obligations of patentee. 15
 5. Explain literary work as subject matter of copyright. 15
 6. Drafting of specification is an important step in the grant of patent. Critically evaluate the statement. 15
 7. What are patentable inventions ? Explain. 15
 8. Examine in detail the procedure of registration of trademarks. 15
 9. Short Notes (answer any 5) : 25
 - 1) Performers rights
 - 2) Qualifications for the grant of copyright
 - 3) Opposition of Patent
 - 4) Anton Pillar Order
 - 5) Computer program
 - 6) Good will
 - 7) Patent agent
 - 8) Song.
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LL.B. (Sem. – VI) Degree Examination, 2008
INTELLECTUAL PROPERTY LAW

Duration : 3 Hours

Total Marks : 100

Instructions : 1) Answer *any six* questions from Q. No. 1 to 9.
2) Q. No. 10 is *compulsory*.

1. Explain the different types of licences under copyright law.
 2. What constitute infringement of trade mark ? What are the civil remedies available against infringement of trade mark ?
 3. Explain in detail the rights, obligation and limitation of patentees right.
 4. Trace the economic development of intellectual property in India.
 5. Write notes on :
 - a) Compulsory licences
 - b) Patent in computer programme.
 6. Explain the basic principles of registration of a good trade mark under Trade Mark Act.
 7. What constitutes infringements of literary and dramatic work ? Explain in detail the remedies available against infringement under copyright law.
 8. Write notes on :
 - a) Licencing of trade mark
 - b) Trade mark not registrable.
 9. Explain the process of assignment, transmission of relinquishment of copyright under Copyright Act.
 10. Write short notes on 2 : (5×2=10)
 - a) Register of patent
 - b) Passing off
 - c) Artistic work.
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LL.B. Degree (Sem. VI) Examination, April 2008
INTELLECTUAL PROPERTY LAW

Duration : 3 Hours

Total Marks : 100

1. What is the relevance of 'specification' in obtaining Patent under the Patent Act ?
2. What are distinctiveness in Trade Mark ? What is the procedure for registration of Trade Mark under the Act ?
3. Explain the remedies available against infringement of copyright.
4. Trace the development of intellectual property rights Internationally and in India.
5. Explain the process of assignment, transmission and relinquishment of copyright under that copyright Act.
6. Write short notes on:
 - a) Ghost Marks
 - b) Trade Marks Registry.
7. Explain the rights conferred by copyright under copyright Act.
8. Write short notes on :
 - a) Deceptive Similarity
 - b) Right of a patentee.
9. Under what circumstances is the Trade Mark protected by the action of passing off ?
10. Write **any two** of following : (5×2=10)
 - 1) Literary work
 - 2) Artistic work
 - 3) Musical work.

LL.B. (Degree) (Sem. VI) Examination, 2007
INTELLECTUAL PROPERTY LAW

Duration : 3 Hours

Max. Marks : 100

1. Trace the historical development of IPR in India. (6×15=90)
 2. Elucidate the impact of TRIPS on the Patent Act 1970 in the recent year.
 3. Illustrate the process of assignment of copyright under the Copyright Act.
 4. To claim Copyright Protection, explain the procedure for confersment of rights.
 5. What are the Civil Law remedies available against the infringement of Trade Mark ?
 6. Write short notes on :
 - a) Confidential Information
 - b) Licencing of Trade Mark.
 7. "The Action of passing off is the most useful and effective means of protecting Trade Mark". Explain with help of case laws.
 8. Write short notes on :
 - a) Artistic work.
 - b) Copyright in Cinema.
 9. What remedies are available against infringement of patent ?
 10. Write **any two** of following : (2×5=10)
 - a) Copyright in Computer data.
 - b) WTO
 - c) Patent specification.
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LL.B. (Degree) (Sem. – VI) Examination, April 2007
INTELLECTUAL PROPERTY LAW

Duration : 3 Hours

Total Marks: 100

(6×15=90)

1. Explain the significance and impact of WTO on the Indian IPR regime.
 2. The government can protect its Interest in IPR through the process of 'Compulsory License'. Explain.
 3. What inventions are patentable ? Explain the test for Patentability of products under the Patent Act 1970.
 4. Explain Copyright license and rights conferred on a author in copyright.
 5. Pre-grant opposition is an important defence in IPR. Explain.
 6. 'Can a Trademark be sold ? If so, explain the process authorised under the Trademark Act for the same.
 7. Write short notes on :
 - a) Trade Mark register
 - b) Surrender of patent.
 8. Write short notes on :
 - a) Trade Marks register
 - b) Surrender of patent.
 9. Explain the historical development of IPR in India.
 10. Write **any two** of the following : (2×5=10)
 - a) Action of passing off
 - b) Right to publication
 - c) TRIPS.
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LL.B. (Degree) Sem. – VI Examination, 2006
INTELLECTUAL PROPERTY LAW

Time: 3 Hours

Max. Marks: 100

Instructions: a) Answer any six questions from Q. No. 1 to Q. No. 9.
b) Question number 10 is compulsory.

6×15=90

1. 'Person who gives concrete form to the idea alone can obtain copyright protection'. Discuss in detail this concept in the light of Artistic work as subject matter of copyright.
2. Discuss the following :
 - a) Broadcasting reproduction rights
 - b) Authorities under copyright enactment
3. Examine the various kinds of rights available in case of copyright. Mention in detail exceptions in case of infringement of copyright.
4. 'Unregistered trademark can be protected only by an action for Passing off. Critically evaluate the term passing off and means adopted for passing off with suitable illustrations.
5. Discuss the following :
 - a) Deceptive similarity
 - b) Remedies in case of infringement of trademark.
6. Examine in detail the procedure to obtain trademark and authorities under the Trade Mark Act, 1999.
7. 'Any person does any of the acts without the author's consent, he will be committing an infringement of patent'. Critically examine the term infringement of patent and exceptions in case of infringement of patent.
8. Write a note on the following :
 - a) Invention
 - b) Pre grant opposition
9. Examine the rights and obligations of patentee under the patent enactment.
10. Answer any two of the following : **2×5=10**
 - a) Threat of legal proceedings
 - b) Computer data base
 - c) Essentials of patent.

LL.B. Degree (Semester – VI) Examination, April 2006
INTELLECTUAL PROPERTY LAW

Time: 3 Hours

Marks : 100

Instructions: 1) Answer *any six* questions from Q. No. 1 to Q. No. 9.
2) Question No. 10 is *compulsory*.

(6×15=90)

1. 'Copyright subsists in original literary and dramatic work'. Examine in detail the concept of literary and dramatic work as subject matter of copyright.
 2. Discuss the following :
 - a) Development of copyright enactment in UK and in India.
 - b) Terms of copyright.
 3. Examine the concept infringement of copyright with exception. Mention in detail the remedies in case of infringement of copyright.
 4. Critically evaluate the concept of Passing off. How passing off differs from deceptive similarity, analyse.
 5. Discuss the following :
 - a) Authorities under Trade Marks Act, 1999
 - b) Functions and essentials of trademark.
 6. Define the term trademark. Examine in detail the procedure to obtain trademark under the Trade Mark Act, 1999.
 7. 'To be patentable the article must be new and useful'. Examine the essential of patent and mention the patentable and non-patentable inventions.
 8. Write a note on the following :
 - a) Specification
 - b) Remedies in case of infringement of patent.
 9. Critically examine the procedure to be followed in obtaining patent under the Patent (Amendment) Act 2005.
 10. Answer **any two** of the following : (2×5=10)
 - a) Performer's rights
 - b) Good will
 - c) Product patent
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Duration: 3 Hours

Marks: 75

Instructions:

- a. Answer any **Eight** questions from Q.No 1 to 12
- b. Question No. 13 and 14 are compulsory (8X8=64)
1. 'Copy right subsist in original Artistic work'. Examine artistic work as subject matter of copyright with suitable case law
2. Examine the terms author and owner of copyright with respect to various categories of work under the Copyright Act, 1957
3. Discuss the various authorities under the Copyright Act 1957 and examine the civil remedies in case of infringement of copyright.
4. Write a critical note on:
 - a. Cinematographic film
 - b. Confidential information
5. Differentiate between the concept of passing off and deceptive similarity under Trademark legislation
6. Define Trademark and critically examine the protection given to trademarks under Indian law.
7. Comment on the following:
 - a. Appellate authority
 - b. Essential functions of trademark
8. Examine in detail the need and the procedure for registration of a trademark under the Trade Mark Act, 1999
9. What are the objects of patent? Mention the essentials and exceptions in case of patent
10. Answer the following:
 - a. Revocation of patent
 - b. Transfer of patent rights
11. Define infringement of patent and examine threat of infringement proceedings under patent legislation.
12. What is meant by opposition to grant of patent what are the grounds for opposition?
13. Answer any two of the following: (2X3=6)
 - a. Photograph
 - b. Government patent
 - c. Spring board doctrine
14. Answer any two of the following: (2x2.5=5)
 - a. Anton pillar order
 - b. Injunction
 - c. Computer data base

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