

End Semester/Reappear (Semester II) Examination, May 2025

Programme: LLM

Course: Intellectual Property Laws

Course Code: 24H.208

Enrolment no. _____

Full Marks: 70

Time: 3 Hrs.

Section I

- 1. Short Answer type questions. Answer any four. 4 x 5 = 20**
- Utilitarian theory has established the concept of intellectual property. Discuss.
 - Chronologically mention the international conventions in relation to Patents. Describe any 2 principles under International conventions.
 - According to law, how are unregistered trademarks safeguarded from copying and commercial use?
 - What is the meaning of the statement “Copyright subsists in any work even without registration”?
 - What distinguishes Passing Off from Infringement? Analyze their legal definitions, key differences, and implications in intellectual property law.
 - What are the different types of intellectual property? Provide an overview of each category, highlighting their purpose and practical applications across various industries.

Section II

- Long Answer type questions. Answer any three. 3 x 10 = 30**
- Evaluate the importance of claiming proprietary right over property created by intellect.
 - Patent is a monopoly right. Which of the fundamental rights are not supporting this monopoly right. Explain in detail.
 - “Passing off is a means for justice even if you have not registered your mark”. Discuss the statement with relevant provisions and judgments.
 - How can one responsibly and legally access and use published works available on the internet? Provide guidance on ethical usage, copyright considerations, and free resources.
 - What does the “Sweat of the Brow” doctrine mean in copyright law? Explain its significance, application, and how it influences originality and legal protections for intellectual creations.

Section III

- Application based questions. Answer any one. 1 x 20 = 20**
- Novartis Ag vs Union of India & Ors, AIR 2013 SUPREME COURT 1311, is a landmark judgment for Patent monopoly rights in India. Discuss.
 - Section 3 of Patents Act 1970 has elaborated the non-patentability criteria for inventions. Elaborate on the same.
 - Various remedies are available under Trademark Act, 1999 for infringement of Trademark. Explain in detail with the help of relevant sections and case laws.
