



**PRACTICE SET**  
**End Semester Examination, Spring- 2026**

**Program: BA.LLB**

**Semester: VI**

**Subject: Intellectual Property Rights II**

**Subject Code: 24F.351**

**Course Outcome: On the completion of**

<b>Course Outcomes</b>	<b>Description</b>
CO1	Comprehend foundational concepts and evolution of various Intellectual Property Rights.
CO2	Familiarize with legal procedures for registration, opposition, and enforcement of patents, trademarks, and copyrights.
CO3	Develop analytical skills in identifying IPR infringements and understanding available legal remedies.
CO4	Practically understand through comparative analysis of IPR frameworks and the emerging trends.

**UNIT I**

**Section A (10 marks)**

1. Explain the procedural stages from filing of the application to grant of the patent under the Patents Act, 1970 as amended. (CO2) (Understand) (LOT)
2. *“Patent law in India strikes a balance between innovation and public health.”* Critically evaluate this statement with reference to compulsory licensing and access to medicines. (CO1) (Evaluate) (HOT)

3. Section 3 of Patents Act 1970 has provided the non-patentability criteria for inventions. Illustrate the same. (CO2) (Apply) (LOT)
4. Chronologically mention the international conventions in relation to Patents. Describe any 2 principles. (CO4) (Remember) (LOT)
5. International conventions have framed the law in contemporary form in our country. Discuss in detail the various international conventions for Patents in chronological order. (CO4) (Understand) (LOT)
6. Apply the principles of infringement and remedies under patent law to a situation involving unauthorized use of a patented process, and illustrate the remedies available to the patent holder. (CO3) (Apply) (LOT)
7. The rights granted under patent are negative and monopolistic rights. Discuss the rationale behind these kinds of rights. (CO1) (Understand) (LOT)
8. Prior Art search is a major requirement to consider patenting an invention. Correlate this criteria with novelty as a condition for patentability. (CO2) (Analyze) (HOT)

**Section B (20 marks)**

9. The rapid growth of digital technologies and cross-border innovation has led to complex patent disputes involving jurisdiction, enforcement, and protection of intellectual property rights.” Critically assess the legal issues arising from patent disputes in the context of international innovation and digital technologies. (CO4) (Evaluate) (HOT)
10. Critically analyze the judgment in Novartis AG v. Union of India with respect to the interpretation of Section 3(d) of the Patents Act, 1970. Examine its impact on the doctrine of evergreening and access to medicines in India, with reference to broader public interest considerations. (CO2) (Analyze) (HOT)

**UNIT II**

**Section A (10 marks)**

11. “Passing off is a means for justice even if you have not registered your mark”. Discuss the statement with relevant provisions and Case Laws. (CO2) (Understand) (LOT)

12. Illustrate the differences between the GI and Trademark protection in terms of nature, ownership, registration procedure, duration, infringement, and cite the examples. (CO1) (Apply) (LOT)
13. Outline the legal provisions relating to passing off to a business scenario involving misrepresentation, and analyze the essential elements required to establish the tort. (CO1) (Analyze) (HOT)
14. Critically analyze the concept of trademark infringement under the Trade Marks Act, 1999, and distinguish it from passing off with the help of judicial precedents. (CO2) (Analyze) (HOT)
15. Illustrate the absolute grounds for refusal of registration of a trademark under Section 9 of the Trade Marks Act, 1999. With the aid of examples and judicial decisions, explain how each ground has been interpreted by Indian courts and the Trade Marks Registry. (CO2) (Apply) (LOT)
16. A group of weavers has obtained Geographical Indication (GI) protection for their traditional silk sarees. Another trader within India markets similar products using a deceptively similar name, while an overseas seller uses the exact GI name for unrelated goods. Identify the legal issues involved and explain the remedies available to the GI holders under Indian law. (CO3) (Understand) (LOT)
17. A seller on an online marketplace uses a well-known brand name in product listings to attract customers, even though the products are not genuine. Evaluate whether this amounts to trademark infringement and briefly assess the legal principles involved under the *Trade Marks Act, 1999*. (CO3) (Evaluate) (HOT)

**Section B (20 marks)**

18. QuickKart, an e-commerce platform, uses its competitor ShopKart's registered trademark 'SHOPKART' as a hidden keyword in online search engine advertising, causing its own advertisements to appear when users search for the competitor. ShopKart files a suit alleging trademark infringement. Analyze whether such use constitutes infringement with reference to the doctrine of use 'in the course of trade' under Section 29 of the Trade Marks Act, 1999. (CO3) (Analyze) (HOT)
19. A company manufacturing energy drinks applies to register the shape of its bottle and a specific colour combination as a trademark. The Trademark Registrar refuses the application, stating that the shape is functional and the mark is not distinctive. Discuss

whether such non-traditional trademarks (shape and colour) can be registered under the *Trade Marks Act, 1999*. (CO3) (Understand) (LOT)

20. MediNova Pvt. Ltd. applies for registration of the trademark '*MEDICURE*' for medicinal products. An opposition is filed by an existing company holding the registered mark '*MEDICARE*' in the same class. Considering the heightened standard of care in pharmaceutical trademarks, evaluate whether the mark should be registered. Examine the test of likelihood of confusion, the nature of goods, class of purchasers, and the principle of imperfect recollection as evolved in *Cadila Healthcare Ltd. v. Cadila Pharmaceuticals Ltd.* (CO3) (Evaluate) (HOT)

### UNIT III

#### Section A (10 marks)

21. Under the Copyright Act, 1957, explain the concept of copyright protection and outline whether unauthorized use of a work on digital platforms amounts to infringement. Support your answer with reasons and examples. (CO3) (Understand) (LOT)
22. The Registration process of Copyright in India has followed the process established by international conventions. Explain the registration process of Copyright in India in detail. (CO2) (Understand) (LOT)
23. A work of fiction is written by 'X'. 'Y' reads the book and authors a work carrying 10 chapters of the book written by 'X' which he has paraphrased through marginally. Explain whether 'Y' has infringed the right of 'X'. (CO3) (Understand) (LOT)
24. 'Copyright exists in expression of ideas and not in the idea itself.' Analyze the statement in the light of subject matters of Copyright. (CO2) (Analyze) (HOT)
25. Explain the bundle of rights vested in the owner of literary work and cinematograph films. Discuss the concept of Rental rights in cinematograph films. (CO2) (Understand) (LOT)
26. Discuss the concept of 'Neighboring Rights'. Also, discuss the 'Right of performers' under the copyright Act, 1957. (CO2) (Understand) (LOT)
27. A photographer discovers that his copyrighted images have been used on a commercial website without his permission. Interpret whether this amounts to copyright infringement

and explain the remedies available to him under the *Copyright Act, 1957*, including civil and criminal actions. (CO3) (Understand) (LOT)

### **Section B (20 marks)**

28. 'X' financed for recording of two Bengali songs. The music and lyrics of the songs were prepared by 'A' and 'B' respectively. The songs were sung by 'C'. 'X' gave commission to 'A', 'B' & 'C' for their work and also paid hire charges for the studio. Examine who will be considered the first owner of copyright in the lyrics, musical composition, and sound recording under the Copyright Act, 1957. (CO2) (Analyze) (HOT)
29. Joseph developed a detailed concept for a reality comedy show and shared it confidentially with a television producer. The producer later released a similar show based on that concept without Joseph's consent. Evaluate whether Joseph can claim copyright protection over the concept. Support your answer with relevant judicial precedents and determine whether an injunction against the broadcast is justified. (CO3) (Analyze) (HOT)
30. Mohan, a playwright, created a successful play based on the theme of depression leading to suicide. Later, Bhishma, a film director who had watched the play, released a film dealing with a similar theme of depression, but with a different storyline and ending. Mohan files a suit alleging copyright infringement. Assess whether Bhishma has infringed Mohan's copyright. In your answer, distinguish between idea and expression and support your analysis with relevant case law. (CO3) (Evaluate) (HOT)

## **UNIT IV**

### **Section A (10 marks)**

31. Discuss rights of farmers and plant breeders granted under Protection of Plant Varieties and Farmers Rights Act, 2001. (CO2) (Understand) (LOT)
32. Describe the procedure of registration of plant varieties under the Plant Varieties and Farmers Rights Act, 2001. (CO2) (Remember) (LOT)
33. Illustrate the salient features of Designs Act, 1911. Also, narrate the powers and duties of the controller of Design. (CO2) (Understand) (LOT)
34. Explain the functions of the Bio-Diversity Management Committee under the Biological Diversity Act, 2002. (CO2) (Understand) (LOT)

35. Discuss the remedies against infringement under Plant Varieties and Farmer's Rights, 2001. (CO3) (Understand) (LOT)
36. Assess the legal remedies available for infringement of a registered design under the Designs Act, 2000.(CO3) (Evaluate) (HOT)
37. Outline the difference between bio-diversity resources and traditional knowledge. Also, explain the concept of 'Benefit-Claimers' under the Biological Diversity Act, 2002. (CO1) (Understand) (LOT)
38. India has adopted a new sui-generic system for protection of Plant varieties in India. Explain. (CO1) (Understand) (LOT)

**Section B (20 marks)**

39. The Registrar appointed under protection of plant varieties and Farmer's rights Act refuses and application for correction of the register being submitted by the registered breeder of the plant variety in oral form, examining whether such refusal can be challenged. (CO3) (Analyze) (HOT)
40. A designer registers a new pattern for a chair under the *Designs Act, 2000*. Later, another manufacturer produces chairs with a similar pattern and sells them in the market. The second manufacturer claims that the design is common and not new. In the light of the above facts Analyze whether there is an infringement of the registered design. (CO3) (Analyze) (HOT)

**Summary Sheet**  
**CO Wise**

<b>CO</b>	<b>Q. No</b>	<b>Marks</b>
CO1	2,3,7,12,13,37,38	70
CO2	1,8,10,11,14,15,22,24,25,26,28,31,32,33,34	170
CO3	6,16,17,18,19,20,21,23,27,29,30,35,36,39,40	220
CO4	4,5,9	40
<b>Total</b>		<b>500</b>

**Unit Wise**

<b>Unit</b>	<b>Q. No</b>	<b>Marks</b>
Unit 1	1,2,3,4,5,6,7,8,9,10	120
Unit 2	11,12,13,14,15,16,17,18,19,20	130
Unit 3	21,22,23,24,25,26,27,28,29,30	130
Unit 4	31,32,33,34,35,36,37,38,39,40	120
<b>Total</b>		<b>500</b>

**Blooms Taxonomy Level (BTL) Wise**

<b>BTL</b>	<b>Q. No</b>	<b>Marks</b>
LOT	1,3,4,5,6,7,11,12,15,16,19,21,22,23,25,26,27,31,32,33,34,35,37,38	250
HOT	2,8,9,10,13,14,17,18,20,24,28,29,30,36,39,40	250
	<b>Total</b>	<b>500</b>

**Prepared By: Apurwa Kumari**

**Moderated By: Dr. Razia Syed**

**Disclaimer:** This is a Practice Set. The Question in the End term will differ from the Practice Set. This Practice Set is meant for Practice only.

