

PRACTICE SET
End Semester Examination, May 2026

Program: LLM
Semester: II
Subject: Intellectual Property Law
Subject Code: 24H.214

Course Outcome:

On the completion of the Course, the students will be able to:

Course Outcomes	Description
CO1	Distinguish and explain various forms of IPRs
CO2	Identify criteria to fit one's own intellectual work in particular form of IPRs.
CO3	Apply statutory provisions to protect particular form of IPRs
CO4	Analyze rights and responsibilities of holder of Patent, Copyright, Trademark, Industrial Design etc.

- 1. Section A : 10 Marks Question covering All units (Total No. of questions 30)**
- 2. Section B : 20 Marks Question covering All units (Total No. of questions 10)**

A (10 marks)

1. A software developer creates a unique mobile application but finds a competitor copying its features without authorization. Recommend the developer on whether this constitutes a violation of Intellectual Property Rights and identify the possible forms of protection available. (CO2) (Evaluate) (HOT)
2. Define Intellectual Property and explain its essential characteristics. Discuss how Intellectual Property differs from tangible property and examine its relevance in the modern knowledge-based economy. (CO1) (Remember) (LOT)

3. Discuss the role of the judiciary in shaping Intellectual Property law. Illustrate your answer with reference to landmark cases. (CO1) (Understand) (LOT)
4. A scientist refuses to share research findings citing Intellectual Property protection, even during a public health crisis. Critically examine whether such refusal is legally and ethically justified. (CO4) (Analyze) (HOT)
5. Evaluate the role of Intellectual Property in protecting traditional knowledge and cultural expressions. Should such knowledge be brought within the IPR framework? (CO2) (Evaluate) (HOT)
6. Critically analyze the concept of Intellectual Property as a “bundle of rights”. How does this characterization affect enforcement and transferability of IP rights in India? (CO4) (Analyze) (HOT)
7. “Intellectual Property Rights are territorial, but innovation is global.” Critically examine this statement and propose mechanisms for global IP governance. (CO2) (Analyze) (HOT)
8. International conventions have framed the law in contemporary form in our country. Discuss in detail the various international conventions for Patents in chronological order. (CO1) (Understand) (LOT)

Section B (20 marks)

9. A newly enacted law in India grants exclusive rights over traditional medicinal knowledge to private corporations that invest in research and commercialization. Indigenous communities challenge the law, arguing that it violates their collective rights and leads to misappropriation of traditional knowledge.

In light of the above, examine the validity of such protection under Intellectual Property law. Discuss the concept of traditional knowledge, the role of Geographical Indications, and the balance between private ownership and community rights, with reference to relevant doctrines and international principles. (CO4) (Understand) (LOT)

10. A State-sponsored innovation policy mandates that all inventions developed using public funds must be assigned exclusively to the government, restricting inventors from commercially exploiting their creations. Researchers challenge the policy as being arbitrary and discouraging innovation.

Examine the validity of such a policy in light of the objectives of Intellectual Property Rights, economic incentive theory, and the role of the State in promoting innovation. (CO2) (Analyze) (HOT)

UNIT II

Section A (10 marks)

11. "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. (CO3) (Evaluate) (HOT)
12. Explain the procedural stages from filing of the application to grant of the patent under the Patents Act, 1970 as amended. (CO3) (Understand) (LOT)
13. Section 3 of Patents Act 1970 has elaborated the non-patentability criteria for inventions. Elaborate on the same. (CO3) (Apply) (LOT)
14. Chronologically mention the international conventions in relation to Patents. Describe any 2 principles. (CO3) (Remember) (LOT)
15. Briefly explain the grounds on which a patent may be revoked under Section 64 of the Patents Act, 1970. Which of these grounds are also available as pre-grant opposition grounds under Section 25(1)? Highlight the procedural and substantive differences between pre-grant and post-grant opposition proceedings. (CO3) (Understand) (LOT)
16. A pre-grant opposition is filed against a patent application for a 'new form of a known substance' under Section 25(1) of the Patents Act, 1970. The opponent contends that the applicant has failed to satisfy the enhanced efficacy requirement under Section 3(d). Evaluate the legal standard for enhanced efficacy post the Supreme Court's ruling in *Novartis AG v. Union of India* (2013) 6 SCC 1, and assess whether incremental pharmaceutical innovations deserve patent protection in the public interest context. (CO4) (Evaluate) (HOT)
17. International conventions have framed the law in contemporary form in our country. Discuss in detail the various international conventions for Patents in chronological order. (CO1) (Understand) (LOT)

Section B (20 marks)

18. The Supreme Court of India has traditionally interpreted patent law with a strong emphasis on innovation incentives and protection of inventors' rights under the Patents Act, 1970. However, in recent years, there has been a shift towards a more public interest-oriented approach, particularly in the pharmaceutical sector, where access to affordable medicines has become a constitutional and policy concern. In the landmark case of Novartis AG v. Union of India, the Court rejected patent claims based on incremental innovation and emphasized the need to prevent evergreening while safeguarding public health.

In the light of the above:

(a) Demonstrate the extent to which principles of public interest and access to medicines can justify restrictions on patent rights, particularly under Section 3(d) of the Patents Act, 1970.(CO4) (Understand) (HOT)

19. 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.”

(a) Evaluate the effectiveness of existing mechanisms (such as compulsory licensing, patent cooperation treaties, and national patent laws) in resolving such disputes. (CO3) (Evaluate) (HOT)

UNIT III

Section A (10 marks)

20. “Passing off is a means for justice even if you have not registered your mark”. Discuss the statement with relevant provisions and Case Laws. (CO3) (Understand) (LOT)

21. Chalk out the differences between the GI and Trademark protection in terms of nature, ownership, registration procedure, duration, infringement, and cite the examples. (CO1) (Apply) (LOT)

22. VitaCare Ltd. files an application to register 'VITACURE' as a trademark for pharmaceutical products. A prior registered mark 'VITACARE' exists in the same class. The Registry raises an objection under Section 11(1) of the Trade Marks Act, 1999. Analyze the test for likelihood of confusion with reference to the nature of goods, type of consumers, and the principle of imperfect recollection as laid down in Cadila Healthcare v. Cadila Pharmaceuticals (2001) 5 SCC 73. (CO4) (Analyze) (HOT)

23. Outline the difference between Trademark Infringement and Passing Off. Also, include examples and case laws associated with it. (CO1) (Remember) (LOT)
24. An application is filed to register the shape of a Coca-Cola bottle as a three-dimensional trademark. The Registry objects on grounds that the shape is a functional design incapable of registration. Evaluate the legal framework for registration of non-conventional trademarks — including shape, colour, sound, and smell — under the Trade Marks Act, 1999, with comparative reference to EU and US jurisprudence. (CO3) (Evaluate) (HOT)
25. 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. (CO3) (Apply) (LOT)
26. FastDeli, a food delivery app, uses the registered trademark 'SWIGFAST' as a keyword in Google AdWords so that its advertisement appears when users search for its competitor 'SWIGGO'. SWIGGO sues FastDeli for trademark infringement. Analyze the law on keyword advertising as trademark infringement in India, with reference to the doctrine of use 'in the course of trade' under Section 29 of the Trade Marks Act, 1999. (CO4) (Analyze) (HOT)

Section B (20 marks)

27. LuxuroBrands S.A., a French company, owns the registered trademark “AURORE” in India for cosmetics and leather goods. Another company, AuroStar Cosmetics Pvt. Ltd., starts selling similar products using the name “AUROSTAR” and the website “www.aurostar.in”.

LuxuroBrands files a case for trademark infringement and passing off. AuroStar gives the following arguments in its defence:
 - (i) The two marks are different
 - (ii) Customers of luxury goods are careful while buying
 - (iii) The word “AURO” is commonly used in the market
 - (iv) AuroStar has built its own reputation
 - (a) Explain what is meant by trademark infringement and passing off in simple terms.
 - (b) Discuss whether “AUROSTAR” is similar to “AURORE” and whether it can confuse customers. (CO2) (Analyze) (HOT)
28. The producers of 'Kancheepuram Silk' sarees register their product as a Geographical Indication under the GI Act, 1999. A manufacturer in Surat produces silk sarees and labels them 'Kancheepuram Style Silk'. A trader in Germany markets them as 'Kancheepuram Silk'. Analyze the legal remedies available to the registered GI holders under Indian law and international obligations under TRIPS Articles 22–24. (CO3) (Analyze) (HOT)

29. “The rise of e-commerce and social media has transformed trademark use and infringement, creating challenges in enforcement across multiple jurisdictions with differing legal standards.”

- (a) Evaluate the need for supra-national mechanisms to ensure effective protection of trademarks. (CO2) (Evaluate) (HOT)

UNIT IV

Section A (10 marks)

30. Elucidate the concept of “Sweat and Brow” under copyright law. (CO1) (Remember) (LOT)

31. Define and describe the concept of 'neighbouring rights' (also called 'related rights') under the Copyright Act, 1957. (CO1) (Remember) (LOT)

32. Artworks Pvt. Ltd. creates an original artistic work — a decorative lamp design. They sell more than 50 units commercially. A competitor copies the design. Recommend Artworks Pvt. Ltd. on the availability of protection under the Copyright Act, 1957 and the Designs Act, 2000. Specifically address the doctrine of merger, the implications of Section 15(2) of the Copyright Act, and whether both protections can subsist simultaneously. (CO3) (Evaluate) (HOT)

33. Illustrate the meaning of the statement “Copyright subsists in any work even without registration”? (CO1) (Understand) (LOT)

34. Give a brief outline of the International Convention for the Copyright Application. (CO2) (Understand) (LOT)

35. 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. (CO1) (Understand) (LOT)

36. A newspaper digitizes its articles (1960–2000) and uploads them online without taking permission from the authors. Some authors had assigned their rights, while others had not.

With reference to the Copyright Act, 1957, discuss:

- (a) Who owns the copyright, and
- (b) Whether uploading the articles online amounts to infringement. (CO3) (Understand) (LOT)

37. Registration process of Copyright in India has followed the process established by international conventions. Explain the registration process of Copyright in India in detail. (CO3) (Understand) (LOT)

Section B (20 marks)

38. “Online piracy has become a global phenomenon, facilitated by technological advancements and jurisdictional limitations, thereby weakening the enforcement of copyright laws.”

- (a) Analyze the challenges of cross-border copyright enforcement in the digital age.
- (b) Outline whether international cooperation mechanisms are sufficient to combat piracy. (CO4) (Analyze) (HOT)

39. Priya, a freelance photographer, is commissioned by a magazine to photograph a celebrity event. The magazine publishes the photographs without crediting Priya and later licenses them to a foreign publication. Priya sues for infringement of both economic rights and moral rights. Analyze Priya's legal position under the Copyright Act, 1957, with specific reference to the ownership of commissioned works and the scope of moral rights under Section 57. (CO4) (Analyze) (HOT)

40. FilmVision Ltd. produces a Hindi film called “*Antariksh*”. After the film is released, several legal disputes arise under the Copyright Act, 1957.

- (a) The screenplay writer, Rohit, says he was not properly credited and that the director changed his script in a way that harmed his reputation. Explain whether Rohit’s moral rights have been violated. (CO4) (Understand) (LOT)

Summary Sheet

CO Wise

CO	Q. No	Marks
CO1	2,3,8,17,21,23,30,31,33,35	100
CO2	1,5,7,10,29,27,34	100
CO3	11,12,13,14,15,19,20,24,25,32,36,37	140
CO4	4,6,9,16,18,22,26,38,39,40	150
Total		500

Unit Wise

Unit	Q. No	Marks
Unit 1	1,2,3,4,5,6,7,8,9,10	120
Unit 2	11,12,13,14,15,16,17,18,19	110
Unit 3	20,21,22,23,24,25,26,27,28,29	130
Unit 4	30,31,32,33,34,35,36,37,38,39,40	140
Total		500

Blooms Taxonomy Level (BTL) Wise

BTL	Q. No	Marks
LOT	2,3,8,9,12,13,14,15,17,20,21,23,25,30,31,33,34,35,36,37,40	230
HOT	1,4,5,6,7,10,11,16,18,19,22,24,26,27,28,29,32,38,39	270
Total		500

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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.