

LLM
SECOND SEMESTER
INTELLECTUAL PROPERTY LAW
LLM-2.3 [CCL-6]

(Use separate answer scripts for Objective & Descriptive)

Duration : 3 hrs.

Full Marks : 70

(PART-A: Objective)

Time : 20 min.

Marks : 20

Choose the correct answer from the following:

1X20=20

1. The Paris Convention for the Protection of Industrial Property, 1883 applies to.....
 - a. Trademarks
 - b. Geographical Indication
 - c. Wines and Spirits
 - d. All of the above
2. The General Agreement on Tariffs and Trade came into force on.....
 - a. 1st January, 1948
 - b. 15th January, 2020
 - c. 7th March, 1950
 - d. 20th March, 1954
3. As per section 2(o) of the Copyright Act,1957, a literary work includes:
 - a. Computer programs
 - b. Tables
 - c. Compilations
 - d. All of the above
4.is the first owner of a Book's copyright.
 - a. Author
 - b. Publisher
 - c. Translator
 - d. Printing press owner
5. A mark which is devoid of distinctness are.....
 - a. Not register-able
 - b. Register-able under patent act
 - c. Register-able under copyright act
 - d. Register-able
6. Copyright is a.....
 - a. Creation by person of efforts, intellectual and capital
 - b. Creation by person of the efforts only
 - c. Creation by negligence of a person
 - d. Creation by the mental status of a person
7. Which of the following must be patent-able?
 - a. Product
 - b. Process
 - c. a and b
 - d. None of the above
8. Section 9 of the Trade Marks Act contains provisions regarding.....
 - a. Absolute grounds for refusal
 - b. Relative grounds for refusal
 - c. Grounds for opposition
 - d. Grounds for infringement action
9. When did Designs Act 2000, come into force?
 - a. 01 April, 2000
 - b. 01 March, 2001
 - c. 11 May, 2001
 - d. 23 April, 2000
10. Section 25 of Designs Act 2000 deals with.....?
 - a. Inspection of registered designs
 - b. Piracy of the registered design
 - c. Designs to bind Government
 - d. None of the above

11. Which of the following is not protected by trademark laws?
 - a. Logos
 - b. Book titles
 - c. Pseudonyms
 - d. Trade dress
12. Hall Mark is:
 - a. Trademark
 - b. Certification Mark
 - c. Collective Mark
 - d. Both (a) and (b)
13. Which of the following is an "intellectual property" as per IPR Laws in India?
 - a. Original literary work
 - b. Trademark of Tata company
 - c. Industrial Design of Maruti 800 car
 - d. All the above
14. A singer wishes to assign the rights to reproduce a video she has made of her concert.
 - a. Copyright
 - b. Patent
 - c. Trade mark
 - d. Industrial designs
15. The rights of a patentee are:
 - a. Sell or distribute
 - b. License
 - c. Assign the property to others
 - d. All of the above
16. A new way to process milk so that there is no fat in any cheese made from it.
 - a. Industrial designs
 - b. Geographical indications
 - c. Patent
 - d. None of the above
17. Which section of the Patents Act, 1970 deals with Inventions relating to atomic energy not patentable?
 - a. Section 4 of the Patents Act, 1970
 - b. Section 5 of the Patents Act, 1970
 - c. Section 1 of the Patents Act, 1970
 - d. Section 12 of the Patents Act, 1970
18. The copyright office for the purpose of the Copyright Act, 1951 is currently located in:
 - a. Chennai
 - b. Mumbai
 - c. Delhi
 - d. Bangalore
19. IP gives right to
 - a. Produce the work
 - b. Market the work
 - c. Make copies of the work
 - d. All of the above
20. Section 22 of the Designs Act 2000 deals with.....
 - a. Cancellation of registration
 - b. Notice of trust not to be entered in registers
 - c. Power of Controller to correct clerical errors
 - d. Piracy of registered design

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(PART-B : Descriptive)

Time : 2 hrs. 40 min.

Marks : 50

[Answer question no.1 & any four (4) from the rest]

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| 1. What is meant by Intellectual Property? Why does intellectual property need to be promoted and protected? Explain the theories of IPR. | 2+4+4=10 |
| 2. Describe the different types of mark under Trademark Act and explain the grounds of refusal of Trademark. | 10 |
| 3. What are the essential requirements for the registration of design under the Designs Act, 2000? | 10 |
| 4. What constitutes piracy of a registered design? What penalties have been provided for piracy of a registered design under the Designs Act, 2000? | 10 |
| 5. Define Geographical Indication. Identify the main features of Indian GI recognition and protection system, including the duration of protection, requirements for maintaining protection. | 10 |
| 6. What are the criteria of patentability? Describe the inventions that are not patentable. | 10 |
| 7. What is fair use? Explain all the works protected under the Copyright Act. | 10 |
| 8. Write short notes on:
a) Functions of WTO
b) Paris convention | 10 |

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