



‘সমানো মনঃ সমিতি: সমানী’

UNIVERSITY OF NORTH BENGAL

LL.M. 4th Semester Non-Specialisation Examination, 2022

INTELLECTUAL PROPERTY LAW

PAPER CODE: LL.M. CC 4.1

Time Allotted: 4 Hours

Full Marks: 100

*The questions are of equal value.
The figures in the margin indicate full marks.*

Answer any four questions

1. “Grant of Patent gives the inventor a monopoly to work on invention to on exclusion of others for a period of time.” In this light discuss the procedure for obtaining patent in India in conformity with the International Conventions to which India was a party. 25
2. What do you mean by Design Act, 2000? Explain the process and object for registration of design under the Act. 25
3. “Copyright does not stand in splendid isolation”. Discuss the copyright and its relationship to other Intellectual Property rights with the help of suitable cases. 25
4. Z Pharma Pvt. Ltd., an Indian Pharmaceutical company, filed an application for patent for its new medicine ‘Tab Q’. It is a beta crystalline form of an existing medicine used for the treatment of cancer. An advocacy group raised an opposition against granting patent stating that ‘Tab Q’ is a mere modification of a known drug. Decide with the help of case laws. 25
5. An Author dictates a short story to a stenographer who takes it down in short hand and then types it. Thereafter, it was converted into a novel. The stenographer claims copyright in the novel as he spent his skill and labour in typing it. Decide with the help of case laws. 25
6. Mr. X wants to register “Best Laptop” as a trademark for his company dealing in manufacturing and sale of laptops. Advice Mr. X as to whether the same can be registered as a trademark or not. 25
7. Compare and contrast Trademark infringement and Passing off, and explain the remedies available against Trademark infringement. 25
8. Write short notes on any *two* of the following: 12 $\frac{1}{2}$ \times 2 = 25
 - (a) Difference between Geographical Indication and Trade Mark
 - (b) Performer’s Right
 - (c) Industrial Design.

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