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Diploma in Intellectual Property Rights Law Examination - 2009

PAPER - IV

**INDUSTRIAL DESIGNS, GEOGRAPHICAL INDICATIONS AND
LAYOUT DESIGNS OF INTEGRATED CIRCUITS**

Time : 3 Hours]

[Max. Marks : 100

Instructions :

(1) *Q. No. 9 is compulsory. Out of the remaining attempt any five questions.*

(2) *Figures to the right indicate full marks.*

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- Q.1)** What are the effects of registration of Indication and the provisions in respect of such registration under the Geographical Indication of Goods (Registration and Protection) Act, 1999 ? **[16]**
- Q.2)** Discuss provisions relating to registration of Geographical Indications under the Geographical Indications Act, 1999. **[16]**
- Q.3)** Discuss role played by the Paris Convention of 1967 to develop law regarding protection of Industrial Designs. **[16]**
- Q.4)** Write short notes on the Designs Act, 2000 : **[16]**
- (a) Meaning of Design
- (b) Essential Conditions for protecting Design
- Q.5)** Explain provisions regarding registration of Layout Designs under Designs Act, 2000. **[16]**

- Q.6)** Discuss difference between : **[16]**
- (a) Geographical Indication and Trade Mark
 - (b) Geographical Indication and Collective Mark
- Q.7)** Discuss Regulatory Authorities under the Geographical Indications Act, 1999. **[16]**
- Q.8)** What conditions are to be fulfilled for Designs to be protected under the Designs Act, 2000 ? **[16]**
- Q.9)** Write short notes : **[20]**
- (a) Protection to Certain Trade Marks under Geographical Indications Act
 - (b) The Treaty in Respect of Integrated Circuits, Washington D.C., 1989
 - (c) Piracy of Designs
 - (d) Prohibition of Registration under the Geographical Indications Act
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PAPER - III

TRADE MARK

Time : 3 Hours]

[Max. Marks : 100

Instructions :

- (1) *Question No. 9 is compulsory. It carries 20 marks.*
 - (2) *Out of the remaining answer **any five** questions and each such question carries **16 marks**.*
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Q.1) Discuss International Law of Trade Marks with special reference to TRIPS Agreement.

Q.2) What are absolute grounds and relative grounds for refusal of Registration ?
What are disadvantages of Non-registration of Trade Mark ?

Q.3) Who can register Trade Mark ? Discuss in detail Procedure for Registration of Trade Mark with recent case laws.

Q.4) Write a note :

- (a) Assignment
- (b) Transmission

Q.5) Enlist various Authorities under the Trade Marks Law with their powers and functions. Explain in detail.

Q.6) Infringement, what constitutes infringement of TM and what are the defences available against Infringement of Trade Mark ?

Q.7) Discuss Law of Passing Off. How it is different from Infringement ?

Q.8) What are the rules relating to duration, renewal, removal and restoration of registration of Trade Marks ?

Q.9) Write **any two** short notes :

- (a) Service Marks
 - (b) Goodwill in Trade Mark
 - (c) Collective Marks
 - (d) Paris Convention and Trade Mark
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PAPER - II

COPYRIGHT AND NEIGHBOURING RIGHTS

Time : 3 Hours]

[Max. Marks : 100

Instructions :

- (1) *Question No. 9 is compulsory. Out of the remaining attempt any five questions.*
- (2) *Figures to the right indicate full marks.*

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- Q.1)** “Copyright is a tax on readers for the purpose of giving a bounty to authors.” Explain. **[16]**
- Q.2)** The main object of the ‘Copyright Act’ is “an Act to amend and consolidate the law relating to copyright”. Explain historical amendments of Copyrights. **[16]**
- Q.3)** What is Artistic Work ? Discuss copyright subsisting in different forms of Artistic Work. **[16]**
- Q.4)** Explain terms of Copyright in Works of Public Undertakings. **[16]**
- Q.5)** Write detail note on WIPO Copyright Treaty. **[16]**
- Q.6)** How licences can be terminated in Copyright Act ? **[16]**
- Q.7)** What are the powers and procedure of Copyright Board ? **[16]**
- Q.8)** What are the Copyright Offences ? Explain. **[16]**

Q.9) Write short notes : (Any Four)

[20]

- (a) Berne Convention
 - (b) Multiple Rights
 - (c) Sound Recording
 - (d) Computer Programme
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PAPER - I

PATENT LAW

Time : 3 Hours]

[Max. Marks : 100

Instructions :

- (1) *Question No. 9 is compulsory. Out of the remaining attempt any five questions.*
- (2) *Figures to the right indicate full marks.*

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- Q.1)** Discuss basic concepts and nature of Intellectual Property. **[16]**
 - Q.2)** Define 'Invention'. What are not the inventions under the Patent Act, 1970 ? **[16]**
 - Q.3)** How to obtain a Patent ? **[16]**
 - Q.4)** What are the grounds of opposition to grant of Patent ? **[16]**
 - Q.5)** Discuss kinds of Assignments of Patent. **[16]**
 - Q.6)** Explain nature of Patent Rights. **[16]**
 - Q.7)** What are the grounds for revocation of a Patent ? **[16]**
 - Q.8)** What constitutes Infringement of Patents ? What are the remedies available in a Suit for Infringement ? **[16]**

Q.9) Write short notes : (Any Two)

[20]

- (a) Contents of Patent Specifications
 - (b) Surrender of Patents
 - (c) Salient Features of the Patents (Amendment) Act, 2002
 - (d) Patent Co-operation Treaty
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