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**PRESIDENCY UNIVERSITY**

**Bengaluru**

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| **End - Term Examinations – JANUARY 2025** |
| **Date:** 17- 01-2025 **Time:** 09:30 am – 12:30 pm |

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| **School:** SOL | **Program:** BA LLB/BBA LLB /B Com LLB (Hons) | |
| **Course Code:** LAW4084 | **Course Name :** Other Forms of IPR Creation and Registration | |
| **Semester**: VII | **Max Marks**: 100 | **Weightage**: 50% |

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| **CO - Levels** | **CO1** | **CO2** | **CO3** | **CO4** |
| **Marks** | **24** | **22** | **31** | **23** |

**Instructions:**

1. *Read all questions carefully and answer accordingly.*
2. *Do not write anything on the question paper other than roll number.*

**Part A**

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| **Answer ALL the Questions. Each question carries 2marks. 10Q x 2M=20M** | | | | |
| **1** | What are the key criteria for an industrial design to be registrable? | **2 Marks** | **L1** | **CO2** |
| **2** | What does "reverse engineering" mean in relation to semiconductor layout designs? | **2 Marks** | **L1** | **CO4** |
| **3** | Discuss the international treaty influenced the drafting of the Biodiversity Act, 2002? | **2 Marks** | **L2** | **CO4** |
| **4** | What is "Access and Benefit Sharing" (ABS) under the Biodiversity Act? | **2 Marks** | **L1** | **CO3** |
| **5** | How does the Locarno Classification relate to industrial design? | **2 Marks** | **L1** | **CO1** |
| **6** | What are the minimum standards of protection under TRIPS? | **2 Marks** | **L2** | **CO1** |
| **7** | Explain the principle of "priority rights" under the Paris Convention. | **2 Marks** | **L2** | **CO4** |
| **8** | How does the Biodiversity Act promote the conservation of endangered species? | **2 Marks** | **L1** | **CO3** |
| **9** | Can functional features of a product be protected as an industrial design? Why or why not? | **2 Marks** | **L1** | **CO4** |
| **10** | Explain the term “fair and equitable benefit sharing” under the Act. | **2 Marks** | **L2** | **CO3** |

**Part B**

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| **Answer the Questions Total 80 Marks** | | | | | |
| **11.** | **a.** | Explain the significance of Section 15 of the Copyright Act, 1957, in preventing overlap with industrial design protection. | **10**  **Marks** | **L3** | **CO1** |
| **Or** | | | | | |
| **12.** | **a.** | Discuss the role and functions of the National Biodiversity Authority (NBA) under the Biological Diversity Act, 2002. | **10**  **Marks** | **L3** | **CO1** |
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| **13.** | **a.** | Discuss the interplay between the Biological Diversity Act, 2002, and international conventions such as the Convention on Biological Diversity (CBD). | **10**  **Marks** | **L3** | **CO3** |
| **Or** | | | | | |
| **14.** | **a.** | 1. Critically analyze the role of originality in industrial design protection versus copyright protection.  2. How does Indian law treat originality in these contexts? | **5+5=**  **10Marks** | **L3** | **CO3** |

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| **15.** | **a.** | 1. Examine the provisions related to infringement of layout-designs under the Act.  2. What remedies are available to the registered owner in case of infringement? | **5+5=**  **10Marks** | **L3** | **CO1** |
| **Or** | | | | | |
| **16.** | **a.** | A tech company claims trade secret protection over its AI-based chatbot model. Another company reverse engineers the chatbot’s capabilities to develop a similar product.   1. Analyze whether reverse engineering is a legitimate defense against trade secret claims. 2. Suggest preventive measures for protecting trade secrets in AI technologies. | **5+5=**  **10Marks** | **L3** | **CO1** |

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| **17.** | **a.** | Discuss the process of registration of a layout-design under the Act. What are the consequences of failing to register a layout-design? | **15**  **Marks** | **L4** | **CO3** |
| **Or** | | | | | |
| **18.** | **a.** | "The Semiconductor Integrated Circuits Layout-Designs Act, 2000 balances innovation and public interest." Discuss this statement with reference to the provisions of the Act. | **15**  **Marks** | **L4** | **CO3** |

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| **19.** | **a.** | "A work that qualifies for design protection cannot claim copyright protection after being applied to an article." Discuss this statement with reference to relevant case laws. | **15**  **Marks** | **L4** | **CO4** |
| **Or** | | | | | |
| **20.** | **a.** | A corporation sues a farmer for "unauthorized use" of patented GM seeds protected under the Act. The farmer claims accidental contamination from nearby GM crop fields.   1. Discuss the legal position regarding accidental use of GM crops under the Act. 2. Evaluate how the Act balances farmers’ rights and breeder protection. | **5+10=**  **15Marks** | **L4** | **CO4** |

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| **21.** | **a.** | 1. Analyze the provisions under the Biological Diversity Act for access to biological resources and benefit-sharing (ABS).  2. How does the Act ensure equitable sharing of benefits? | **10+10=**  **20Marks** | **L5** | **CO2** |
| **Or** | | | | | |
| **22.** | **a.** | 1. What happens to the copyright of an artistic work when it is registered as an industrial design under the Designs Act, 2000?  2. Support your answer with statutory provisions and relevant case laws | **10+10=**  **20Marks** | **L5** | **CO2** |

**\*\*\*\*\* BEST WISHES \*\*\*\*\***