



PRESIDENCY UNIVERSITY

BENGALURU

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End - Term Examinations – MAY/ JUNE 2025

Date: 03-06-2025

Time: 09:30 am – 12:30 pm

School: SOL	Program: BALLB/BBALLB/BCOMLLB (Hons.)	
Course Code: LAW4088	Course Name: Geographical Indicators	
Semester: VI	Max Marks: 100	Weightage: 50%

CO - Levels	C01	C02	C03	C04	C05
Marks	26	19	29	36	-

Instructions:

- Read all questions carefully and answer accordingly.
- Do not write anything on the question paper other than roll number.
- All references to 'Act' or GI Framework/law here are to 'Geographical Indications of Goods (Registration and Protection) Act, 1999' and rules made thereunder.

Part A

Answer ALL the Questions. Each question carries 2marks.

10Q x 2M=20M

1.	Define Geographical Indication as per Indian law.	2 Marks	L1	C02
2.	What is the significance of the GI Registry in India?	2 Marks	L2	C02
3.	List any two agricultural products recently registered as GIs in India.	2 Marks	L1	C01
4.	What is the role of TRIPS in the protection of GIs?	2 Marks	L2	C01
5.	State two differences between GIs and Trademarks.	2 Marks	L2	C02
6.	What is the term of protection granted to a GI under Indian law?	2 Marks	L1	C03
7.	Mention any two grounds for refusal of GI registration.	2 Marks	L2	C03
8.	Can unregistered GIs be protected in India? Briefly explain.	2 Marks	L2	C04
9.	What are the civil remedies available for GI infringement?	2 Marks	L2	C04
10.	What was the issue in the <i>Basmati Rice</i> GI dispute?	2 Marks	L3	C04

Part B

Answer the Questions.

Total Marks 80M

11.	a.	Explain the international legal framework for GIs with a focus on the TRIPS Agreement and its implementation in India.	10 Marks	L3	CO 1
Or					
12.	a.	Discuss the historical development and rationale for GI protection in India, referring to the objectives behind the GI Act.	10 Marks	L3	CO 1
13.	a.	Explain the registration process of GIs in India, highlighting the steps from application to final registration.	10 Marks	L4	CO 3
Or					
14.	a.	Explain the process of rectification and correction in the GI register, highlighting the steps provided under the GI law.	10 Marks	L4	CO 3
15.	a.	Discuss the different types of infringement under the GI Act with appropriate illustrations.	10 Marks	L	CO 4
Or					
16.	a.	Explain the essentials of “passing off” available under Indian law in cases of unlawful use of GI. Substantiate it with case laws and examples.	10 Marks	L	CO 4
17.	a.	Do Geographical Indicators have a role in sustainable development and cultural preservation? Discuss with reference to Indian examples.	15 Marks	L5	CO 2
Or					
18.	a.	Using a recent example, assess how GI protection can empower rural communities and enhance economic development.	15 Marks	L5	CO 2
19.	a.	Critically assess the GI Tag’s role in protecting traditional knowledge. Should the law be amended to offer broader protection?	15 Marks	L	CO 3
Or					
20.	a.	Critically assess the intersection of GI and Biopiracy with relevant case laws.	15 Marks	L	CO 3
21.	a.	A Bengaluru-based retail chain launches a premium honey brand named “Coorg Gold” with packaging that includes mountain motifs and cultural elements from Karnataka. However, the honey is procured from Maharashtra, and the company never sought permission from any GI holder. The packaging also features the GI tag logo. Upon learning this, the Coorg Honey Producers’ Association files a complaint under the	10 Marks	L5	CO 4

		GI Act, 1999. Whether this constitutes an infringement under the GI Act.			
	b.	Provide the possible legal defences the retail chain may raise in this case.	5 Marks	L3	CO 4
	c.	What penalty provision could be invoked against the alleged offender?	5 Marks	L2	CO 4
Or					
22.	a.	An online seller on a major e-commerce platform is selling “Banaras Silk Sarees” that are actually mass-produced in Surat. The seller prominently displays “Banaras Handloom GI Certified” on listings and tags the product under ‘Authentic Handicrafts’. A GI inspection agency discovers the fraud and initiates proceedings. Whether the seller is liable for infringement under Indian GI law.	10 Marks	L5	CO 4
	b.	Provide the applicable civil and criminal liability, including that is applicable to the present case.	5 Marks	L3	CO 4
	c.	Whether the seller can invoke a lack of knowledge or third-party sourcing as a defence?	5 Marks	L4	CO 4