



Roll No.

**PRESIDENCY UNIVERSITY  
BENGALURU**

**SCHOOL OF LAW**

**MID TERM EXAMINATIONS**

**Sem & AY:** Odd Sem 2019-20

**Course Code:** LAW 413

**Course Name:** INTERNATIONAL REGULATION OF INTELLECTUAL PROPERTY RIGHTS

**Program & Sem:** BA.LL.B.,(Hons.) & VII

**Date:** 22.10.2019

**Time:** 9.30 AM to 11.30 AM

**Max Marks:** 60

**Weightage:** 30%

**Instructions:**

- (i) *All the questions are compulsory.*
- (ii) *The number of marks carried by a question is indicated against it.*

**Part A [Memory Recall Questions]**

**Answer all the Questions. Each Question carries four marks. (5Qx4M=20M)**

1. What do you understand by 'National treatment'? (C.O.NO.1) [ Knowledge]
2. What do you understand by WIPO? (C.O.NO.1) [Knowledge]
3. What do you understand by MFN [Most Favored Nation] status? What is its relevance in Intellectual Property? (C.O.NO.1) [Knowledge]
4. What do you understand by 'Automatic Protection'? Briefly mention its origin under IP? (C.O.NO.1) [Knowledge]
5. Explain the objectives of WIPO Copyright Treaty? (C.O.NO.1) [Knowledge]

**Part B [Thought Provoking Questions]**

**Answer all the Questions. Each Question carries five marks. (4Qx5M=20M)**

6. Explain the importance of Marrakesh Treaty? (C.O.NO.1) [Comprehension]
7. Discuss the role played by Internet in dealing with the modern problems of IP protection. (C.O.NO.1) [Comprehension]
8. Discuss key features of Paris Convention? (C.O.NO.1) [Comprehension]
9. Analyze the role of Copyright Board under the Copyright Act of 1957? (C.O.NO.1) [Comprehension]

### **Part C [Problem Solving Questions]**

**Answer both the Questions. Each Question carries ten marks. (2Qx10M=20M)**

10. Describe briefly about the international framework for the protection of GI, Appellation of Origin and Indication of Source and analyze major concerns of India.

(C.O.NO.4) [Application]

11. Critically examine International Politics of Intellectual Property Rights. Discuss the interests of various stakeholders (For example- developed, developing, least developed nations, pharmaceutical and other companies, consumers, authors, researchers, students and others) involved.

(C.O.NO.4) [Application]



## SCHOOL OF LAW

**Semester:** VII Odd Sem 2019-20

**Course Code:** LAW 413

**Course Name:** International Regulation of Intellectual Property

**Date:**

**Time:** 2 Hours

**Max Marks:** 60

**Weightage:** 30%

### Extract of question distribution [outcome wise & level wise]

Q.NO	C.O.NO (%age of CO)	Unit/Module Number/Unit /Module Title	Memory recall type	Thought provoking type	Problem Solving type	Total Marks
			[Marks allotted] Bloom's Levels	[Marks allotted] Bloom's Levels	[Marks allotted]	
			K	C	A	
1.	1	1	K [4M]			4
2.	1	2	K [4M]			4
3.	1	1	K [4M]			4
4.	1	1	K [4M]			4
5.	1	3	K [4M]			4
6.	1	3		C [5M]		5
7.	1	2		C [5M]		5
8.	1	2		C [5M]		5
9.	3	1		C [5M]		5
10.	4	4			A [10M]	10
11.	4	4			A [10M]	10
	<b>Total Marks</b>		20	20	20	60

K =Knowledge Level C = Comprehension Level, A = Application Level



Note: While setting all types of questions the general guideline is that about 60%

Of the questions must be such that even a below average students must be able to attempt, About 20% of the questions must be such that only above average students must be able to attempt and finally 20% of the questions must be such that only the bright students must be able to attempt.

I hereby certify that all the questions are set as per the above guidelines. [Amit Kumar Padhy]

Reviewer's Comments:

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## Annexure- II: Format of Answer Scheme



### SCHOOL OF LAW

#### SOLUTION

Semester: VII

Course Code: LAW 413

Course Name: International Regulation of Intellectual Property

Date:

Time: 2 Hours

Max Marks: 60

Weightage: 30%

#### Part A

(5Q x 4M = 20Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
1.	National treatment is a principle that says countries should treat imported goods, services and intellectual property (trademarks, copyrights and patents) the same way they treat their own. This helps create a level playing field in the marketplace by preventing	Definition [2M] Reason for having it [2M]	8 Minutes



	domestic goods from having an unfair advantage.		
2.	WIPO is an international body governing IP between all the member nations of the World Trade Organization (WTO).	Explanation of WIPO [4M]	8 Minutes
3.	A most-favored-nation (MFN) clause requires a country to provide any concessions, privileges, or immunities granted to one nation in a trade agreement to all other World Trade Organization member countries. Although its name implies favoritism toward another nation, it denotes the equal treatment of all countries	Explanation [4M]	8 Minutes
4.	While it is possible to register copyright in a work through the Intellectual Property Office, registration is not necessary for a work to be considered protected. Original literary, dramatic, musical	Explanation [2M] Need [2M]	8 Minutes





	<p>and artistic works, as well as sound recordings, performances, and communication signals, are automatically protected by copyright. Facts, ideas and data, however, cannot be copyrighted.</p> <p>Typically, 'fixation', either on paper or as a digital file, is a requirement for copyright to subsist in a work.</p> <p>The fixation requirement is in keeping with the principle that ideas themselves may not be copyrighted, only the expression of the ideas. Notable exceptions to the fixation rule include a 'performer's performance', such as a play or musical performance that are not in a fixed form (that is, recorded) but are nonetheless covered by copyright.</p>		
5.	WIPO Copyright Treaty came to tackle the needs of	Each reasoning [2Mx2 = 4M]	8 Minutes



	<b>the internet age. The reasons were not covered under BERN Convention</b>		
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**Part B**

(4Q x 5M = 20 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
6.	To improve harmony and compliance for the works to be available for Blind and Visually impaired.	Explanation [5M]	12.5 Minutes
7.	Anti plagiarism checks, online search, international protection and others.	Explanation [5M]	12.5 Minutes
8.	Paris Convention-MFN, IOS, AoO, Unfair advantage, National treatment.	5 Reasons with explanation [5M]	12.5 Minutes
9.	Copyright Board- Apex body for resolving copyright related issues and grants permissions.	5 Points with explanation [5M]	12.5 Minutes

**Part C**

(2Q x 10M = 20 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
10.	GI, AOO and IoS a. History b. Geopolitics c. India's stand d. India's concerns e. Impact on India	Explanation of 5 points [2Mx5=10M]	15 Minutes
11.	a. Developed b. Developing c. LDC's d. Consumers e. Authors f. Students g. others	7 points [7M] Understanding and Writing Skills [3M]	15 Minutes





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**SCHOOL OF LAW**

**END TERM FINAL EXAMINATION**

**Semester:** Odd Semester: 2019-2020

**Course Code:** LAW 413

**Course Name:** INTERNATIONAL REGULATION OF INTELLECTUAL PROPERTY RIGHTS

**Program & Sem:** BA.LL.B.,(Hons.) & VII

**Date:** 27 December 2019

**Time:** 1:00 PM to 4:00 PM

**Max Marks:** 80

**Weightage:** 40%

**Instructions:**

- (i) All the questions are compulsory.  
(ii) The number of marks carried by a question is indicated against it.

**Part A [Memory Recall Questions]**

**Answer all the Questions. Each Question carries 4 marks. (5Qx4M=20M)**

1. What do you understand by 'National treatment'? (C.O.No.2) [Knowledge]
2. What do you understand by WIPO? (C.O.No.1) [Knowledge]
3. What do you understand by Non-Discrimination? What is its relevance in Intellectual Property? (C.O.No.3) [Knowledge]
4. What do you understand by 'Automatic Protection'? Briefly mention its origin under IP? (C.O.No.1) [Knowledge]
5. Explain the stand of 'Developed' nations and 'Developing' nations with respect to the implementation of TRIPS+ provisions? (C.O.No.4) [Knowledge]

**Part B [Thought Provoking Questions]**

**Answer all the Questions. Each Question carries 5 marks. (4Qx5M=20M)**

6. What are the reasons for having an international treaty for protecting any IP? (C.O.No.3) [Comprehension]
7. Discuss the traceability of infringers in a world dominated by wireless gadgets like Bluetooth etc. (C.O.No.2) [Comprehension]



## SCHOOL OF LAW

**Semester:** VII Odd Sem 2019-20

**Course Code:** LAW 413

**Course Name:** International Regulation of Intellectual Property

**Date:**

**Time:** 3 Hours

**Max Marks:** 80

**Weightage:** 40%

### Extract of question distribution [outcome wise & level wise]

Q.NO	C.O.NO (%age of CO)	Unit/Module Number/Unit /Module Title	Memory recall type	Thought provoking type	Problem Solving type	Total Marks
			[Marks allotted] Bloom's Levels	[Marks allotted] Bloom's Levels	[Marks allotted]	
			K	C	A	
1.	1	1	K [4M]			4
2.	1	2	K [4M]			4
3.	1	1	K [4M]			4
4.	1	1	K [4M]			4
5.	1	3	K [4M]			4
6.	1	3		C [5M]		5
7.	1	2		C [5M]		5
8.	1	2		C [5M]		5
9.	3	1		C [5M]		5
10.	4	4			A [10M]	10
11.	4	4			A [10M]	10
12.	4	4			A [10M]	10
13.	4	4			A [10M]	10

	Total Marks		20	20	40	80
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K = Knowledge Level C = Comprehension Level, A = Application Level

Note: While setting all types of questions the general guideline is that about 60%

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Reviewer's Comments:

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## Annexure- II: Format of Answer Scheme



### SCHOOL OF LAW

#### SOLUTION

Semester: VII

Course Code: LAW 413

Course Name: International Regulation of Intellectual Property (IRIPR)

Date:

Time: 3 Hours

Max Marks: 80

Weightage: 40%

#### Part A

(5Q x 4M = 20Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
1.	National treatment is a principle that says countries should treat imported goods, services and intellectual property (trademarks, copyrights and patents) the same	Definition [2M] Reason for having it [2M]	8 Minutes

	way they treat their own. This helps create a level playing field in the marketplace by preventing domestic goods from having an unfair advantage.		
2.	WIPO is an international body governing IP between all the member nations of the World Trade Organization (WTO).	Explanation of WIPO [4M]	8 Minutes
3.	Define Non-Discrimination Principle	Explanation [4M]	8 Minutes
4.	Automatic Protection: Bern Convention, Copyright Law which does not require prior registration.	Explanation [2M] Need [2M]	8 Minutes
5.	Developed – want it Developing – do not want it	Each reasoning [2Mx2 = 4M]	8 Minutes

**Part B**

(4Q x 5M = 20 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
6.	To improve harmony and compliance at an international level.	Explanation [5M]	12.5 Minutes
7.	Discuss traceability	Explanation [5M]	12.5 Minutes
8.	Bern Convention-Automatic Protection, National treatment.	5 Reasons with explanation [5M]	12.5 Minutes



9.	Mention any 3 rights of patent holders like right to paternity	5 Points with explanation [5M]	12.5 Minutes
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**Part C**

(2Q x 10M = 20 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
10.	GI, AOO and IoS a. History b. Geopolitics c. India's stand d. India's concerns e. Impact on India	Explanation of 5 points [2Mx5=10M]	15 Minutes
11.	Counterfeit Goods-different IP laws and administrative drawbacks.	7 points [7M] Understanding and Writing Skills [3M]	22.5 Minutes
12.	Awareness	Explanation of 5 points [2Mx5=10M]	22.5 Minutes
13.	Proper Government Level and International Level deliberation needed.	7 points [7M] Understanding and Writing Skills [3M]	22.5 Minutes



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**Program & Sem:** BA.LL.B.,(Hons.) & VII

**Date:** 27 December 2019

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**Max Marks:** 80

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**Instructions:**

- (i) All the questions are compulsory.  
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**Part A [Memory Recall Questions]**

**Answer all the Questions. Each Question carries 4 marks. (5Qx4M=20M)**

1. What do you understand by 'National treatment'? (C.O.No.2) [Knowledge]
2. What do you understand by WIPO? (C.O.No.1) [Knowledge]
3. What do you understand by Non-Discrimination? What is its relevance in Intellectual Property? (C.O.No.3) [Knowledge]
4. What do you understand by 'Automatic Protection'? Briefly mention its origin under IP? (C.O.No.1) [Knowledge]
5. Explain the stand of 'Developed' nations and 'Developing' nations with respect to the implementation of TRIPS+ provisions? (C.O.No.4) [Knowledge]

**Part B [Thought Provoking Questions]**

**Answer all the Questions. Each Question carries 5 marks. (4Qx5M=20M)**

6. What are the reasons for having an international treaty for protecting any IP? (C.O.No.3) [Comprehension]
7. Discuss the traceability of infringers in a world dominated by wireless gadgets like Bluetooth etc. (C.O.No.2) [Comprehension]

8. Discuss key features of Bern Convention? (C.O.No.1) [Comprehension]

9. Analyze the rights of patent holder? (C.O.No.4) [Comprehension]

### **Part C [Problem Solving Questions]**

**Answer all the Questions. Each Question carries 10 marks. (4Qx10M=40M)**

10. Describe briefly about the international framework for the protection of GI, Appellation of Origin and Indication of Source and analyze major concerns of India.  
(C.O.No.4) [Application]

11. Critically examine IP perspective in regulating counterfeit goods. What are the challenges in regulating the genuine goods in national as well as international market.  
(C.O.No.3) [Application]

12. Critically examine the awareness perspective of Intellectual Protection laws amongst common public. What are the challenges governments face in the implementation of IP laws.  
(C.O.No.4) [Application]

13. Critically examine IP protection in Music and Film Industry. Discuss the issues with respect to the rights of stakeholders as a consequence of repeated leaks, piracy and duplicate copies of copyrighted material.  
(C.O.No.2) [Application]



## SCHOOL OF LAW

**Semester:** VII Odd Sem 2019-20

**Course Code:** LAW 413

**Course Name:** International Regulation of Intellectual Property

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12.	4	4			A [10M]	10
13.	4	4			A [10M]	10



	Total Marks		20	20	40	80
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Reviewer's Comments:

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## Annexure- II: Format of Answer Scheme



### SCHOOL OF LAW

#### SOLUTION

Semester: VII

Course Code: LAW 413

Course Name: International Regulation of Intellectual Property (IRIPR)

Date:

Time: 3 Hours

Max Marks: 80

Weightage: 40%

#### Part A

(5Q x 4M = 20Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
1.	National treatment is a principle that says countries should treat imported goods, services and intellectual property (trademarks, copyrights and patents) the same	Definition [2M] Reason for having it [2M]	8 Minutes



	way they treat their own. This helps create a level playing field in the marketplace by preventing domestic goods from having an unfair advantage.		
2.	WIPO is an international body governing IP between all the member nations of the World Trade Organization (WTO).	Explanation of WIPO [4M]	8 Minutes
3.	Define Non-Discrimination Principle	Explanation [4M]	8 Minutes
4.	Automatic Protection: Bern Convention, Copyright Law which does not require prior registration.	Explanation [2M] Need [2M]	8 Minutes
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(4Q x 5M = 20 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
6.	To improve harmony and compliance at an international level.	Explanation [5M]	12.5 Minutes
7.	Discuss traceability	Explanation [5M]	12.5 Minutes
8.	Bern Convention- Automatic Protection, National treatment.	5 Reasons with explanation [5M]	12.5 Minutes





9.	Mention any 3 rights of patent holders like right to paternity	5 Points with explanation [5M]	12.5 Minutes
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**Part C**

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Q No	Solution	Scheme of Marking	Max. Time required for each Question
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13.	Proper Government Level and International Level deliberation needed.	7 points [7M] Understanding and Writing Skills [3M]	22.5 Minutes

