



Roll No.											
----------	--	--	--	--	--	--	--	--	--	--	--

PRESIDENCY UNIVERSITY

BENGALURU

Mid - Term Examinations – October 2025

Date: 11-10-2025

Time: 11.45am to 01.15pm

School: SOL	Program: BALLB, BBALLB, BCOMLLB (Hons.)	
Course Code: LAW4089	Course Name: Trade Secrets and Technology Transfer	
Semester: IX	Max Marks: 50	Weightage: 25%

CO - Levels	CO1	CO2	CO3	CO4	CO5
Marks	20	30			

Instructions:

- (i) *Read all questions carefully and answer accordingly.*
- (ii) *Do not write anything on the question paper other than roll number.*

Part A

Answer ALL the Questions. Each question carries 2marks.

5Q x 2M=10M

1	List two essential ingredients that make information qualify as a trade secret.	2 Marks	L2	CO1
2	What is the role of confidentiality in protecting trade secrets?	2 Marks	L2	CO1
3	Discuss the section of TRIPS Agreement which deals with trade secrets. In what ways is the treatment of trade secrets of different from the treatment of other intellectual property laws in the Agreement?	2 Marks	L2	CO1
4	Discuss the extent to which Locke's Labor theory justifies protection of trade secrets.	2 Marks	L2	CO1
5	What is the common law basis for trade secret protection in India?	2 Marks	L2	CO1

Part B

Answer the Questions.

Total Marks 40M

6.	An engineer employed at <i>ABC Chemicals Ltd.</i> leaves the company and joins a rival firm. He carries with him detailed drawings and designs of specialized chemical processing equipment he worked on at ABC.	5 + 5 = 10 Marks	L3	CO1
-----------	--	-------------------------	-----------	------------

a.	<p>The rival firm begins manufacturing equipment using those designs.</p> <p>With reference to relevant case laws and principles under Indian law, discuss whether ABC Chemicals can seek an injunction against the rival firm and the employee.</p>			
b.	<p>What are the legal grounds for asking for relief in this case.</p>			

Or

7.	<p>A Delhi-based engineering company seeks a permanent injunction against a former consultant who has shared technical information with competitors. The defendant argues that an injunction would unfairly restrict his right to work in the industry.</p> <p>With reference to relevant case laws, evaluate how Indian courts balance the protection of trade secrets against the right to pursue one's profession, and whether a permanent injunction is justified.</p>	10 Marks	L3	CO 1
-----------	--	-----------------	-----------	-------------

8.	<p>A textile company claims that its customer database, containing contact details, preferences, and pricing history, is a trade secret. A former sales manager copies this database and uses it in his new job with a competitor.</p> <p>With reference to <i>Bombay Dyeing v. Mehar Karan Singh</i>, analyze whether the customer database qualifies as a trade secret and what factors the court would consider in determining protection.</p>	10 Marks	L3	CO 2
-----------	---	-----------------	-----------	-------------

Or

9.	<p>Rahul, a senior software engineer, signs an employment contract with TechNova Inc. in Bangalore. The contract contains a clause prohibiting him from working with <i>any competitor in the software industry anywhere in India for two years</i> after leaving the company. After resigning, Rahul joins a rival firm in Bangalore. TechNova sues to enforce the non-compete clause.</p> <p>Compare and discuss how would this dispute be decided under Indian law and Canadian law applying relevant principles and case laws for each jurisdiction.</p>	10 Marks	L3	CO 2
-----------	--	-----------------	-----------	-------------

10.	<p>Compare how employee obligations regarding confidentiality and post-employment restrictions are treated under Indian case law and under the UK legal framework. Which system better safeguards both employer and employee interests?</p>	10 Marks	L4	CO 2
------------	---	-----------------	-----------	-------------

Or

11.	<p>Critically compare how trade secrets are protected under statutory law in China, with the reliance on common law principles and contractual arrangements in India. Which principles would you</p>	10 Marks	L4	CO 2
------------	--	-----------------	-----------	-------------

	borrow from Chinese law as a policymaker?			
--	---	--	--	--

12.	<p>Neha works in a food processing company and has access to a unique recipe stored in the company's internal database. She memorizes the recipe and later opens her own restaurant using the same formula, without taking any physical documents.</p> <p>Assess whether her conduct amounts to misappropriation of trade secrets.</p>	10 Marks	L4	CO 2
Or				
13.	<p>Compare the statutory protection of trade secrets under the <i>Defend Trade Secrets Act, 2016 (DTSA)</i> in the USA with the absence of a dedicated trade secret statute in India.</p> <p>What are the implications of this difference for businesses operating in both jurisdictions?</p>	10 Marks	L4	CO 2