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Mid Term Examinations - October 2026

Date: 09/10/2026 **Time:** 11:45 AM - 01:15 PM

Course Code: LAW4082 **Course Name:** IPR in Pharma Industry

Semester: Seventh Semester **Max. Marks:** 50 **Weightage:** 50%

CO - Levels	CO1	CO2
Marks	24	66

PART A: Answer Following Questions. 10 M

Q.N.	Questions	M	CO	BT
1	What is meant by "reasonable requirements of the public" under Section 84 of the Patents Act, 1970?	2	CO2	BT1
2	Define inventive step under the Patents Act, 1970.	2	CO1	BT1
3	What is meant by parallel importation under Section 107A of the Patents Act, 1970?	2	CO2	BT1
4	What is meant by deceptive similarity in pharmaceutical trade marks?	2	CO2	BT1
5	Define industrial applicability as a ground for pharmaceutical patentability.	2	CO1	BT2

PART B : Answer Any 1 Following Questions. 10 M

Q.N.	Questions	M	CO	BT
6	A pharmaceutical company develops a new crystalline polymorph of a known anti-retroviral drug. It claims that the polymorph has improved flow properties for tablet manufacturing but does not demonstrate any difference in therapeutic efficacy compared to the known form. Apply Section 3(d) of the Patents Act, 1970, drawing on the reasoning in Novartis AG v. Union of India, to analyse whether the polymorph qualifies for patent protection.	10	CO1	BT3
7	A pharmaceutical company's patent application discloses only one specific embodiment of an invention but claims a broad genus covering numerous chemical variants without adequate experimental support for each variant. Analyse the requirement of sufficiency of disclosure under the Patents Act, 1970 and discuss the consequences of inadequate enablement for the validity of broad pharmaceutical claims.	10	CO1	BT4

PART C: Answer Any 1 Following Questions. 10 M

Q.N.	Questions	M	CO	BT
8	A generic drug manufacturer plans to enter the market after the expiry of the primary patent covering a pharmaceutical drug. However, it finds that several secondary patents covering different aspects of the drug are still in force. Analyse the distinction between primary and secondary pharmaceutical patents and examine how such overlapping patents may create a “patent thicket” and affect generic market entry.	10	CO2	BT4

9	A biotechnology company develops a genetically modified microorganism capable of producing a novel therapeutic protein. The company seeks patent protection for both the microorganism and the recombinant protein. Analyse whether these inventions are excluded from patentability under Section 3(j) of the Patents Act, 1970, with particular reference to the distinction between patentable microorganisms and excluded biological subject matter.	10	CO2	BT4

PART D: Answer Any 1 Following Questions. 10 M				
Q.N.	**Questions**	**M**	**CO**	**BT**
10	A generic pharmaceutical manufacturer imports a limited quantity of a patented drug from a country where it was sold by or with the consent of the patentee, intending to sell it in India at a lower price than the patentee's domestic price. Analyse whether this conduct is protected under the parallel importation provision in Section 107A of the Patents Act, 1970.	10	CO2	BT3
11	Three years after the grant of a patent for an essential medicine, a generic manufacturer applies for a compulsory licence, alleging that the patented drug is not available to the public at a reasonably affordable price and that the patent is not being worked in India. Analyse the statutory grounds and procedure under Section 84 of the Patents Act, 1970 for the grant of a compulsory licence, with reference to Bayer Corporation v. Natco Pharma Pvt. Ltd.	10	CO2	BT5

PART E: Answer Any 1 Following Questions. 10 M				
Q.N.	**Questions**	**M**	**CO**	**BT**
12	A pharmaceutical company owns a registered trade mark for a cardiac medicine. A competitor launches a medicine for a different therapeutic condition under a mark that is phonetically similar but visually distinct, arguing that since the medicines are not therapeutically substitutable there is no likelihood of confusion. Evaluate this argument by applying the principles laid down in Cadila Healthcare Ltd. v. Cadila Pharmaceuticals Ltd. regarding deceptive similarity in pharmaceutical trade marks, including the relevance of differing therapeutic use.	10	CO2	BT5
13	Critically evaluate whether the protection of pharmaceutical patents can be reconciled with the need to ensure affordable and accessible medicines, particularly in the context of generic competition and public health	10	CO2	BT5