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**PRESIDENCY UNIVERSITY
BENGALURU**

**SCHOOL OF LAW
MID TERM EXAMINATION - MAY 2023**

Semester : Semester IV - 2021

Course Code : LAW303

Course Name : Sem VI - LAW303 - Intellectual Property Rights

Program : BAL,BBL&BCL

Date : 18-MAY-2023

Time : 10.30AM - 12.00PM

Max Marks : 60

Weightage : 30%

Instructions:

- (i) Read all questions carefully and answer accordingly.
 - (ii) Question paper consists of 3 parts.
 - (iii) Scientific and non-programmable calculator are permitted.
 - (iv) Do not write any information on the question paper other than Roll Number.
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ANSWER ALL THE QUESTIONS

(6 X 10 = 60M)

1. Intellectual property (IP) pertains to any original creation of the human intellect such as artistic, literary, technical, or scientific creation. Intellectual property rights (IPR) refer to the legal rights given to the inventor or creator to protect his invention or creation for a certain period of time. These legal rights confer an exclusive right to the inventor/creator or his assignee to fully utilize his invention/creation for a given period of time. Indian laws are successfully protecting these rights under various domains of IPR by inculcating the minimum standards established by various international documents. Discuss and critically evaluate how these domains are different from each other.

(CO2) [Application]
2. What is copyright infringement? Under what circumstances, does the court order Anton's pillar orders?

(CO2) [Comprehension]
3. Discuss the copyright owner's economic right in literary, dramatic, and musical works with special emphasis on the right to issue copies of the work to the public not being copies already in circulation. Discuss with the help of decided case laws.

(CO2) [Comprehension]
4. In Fortune Films v. Dev Anand case (1979), it was held by the Bombay High Court that performer's rights do not have any copyright as their rights are not specifically recognized under the Copyright Act. However, with the development in the field of Drama, Movies, etc., the academia has witnessed a lot of debates and disputes concerning the need for the recognition and protection of the performers. In the light of the same, analyze the concept of Performers Rights under Indian Copyright jurisprudence.

(CO2) [Comprehension]

5. The theories of intellectual property rights play a definite role in making someone understand the rights offered and the reason behind the same. Discuss.

(CO1) [Comprehension]

6. Section 51 of the Copyright Act 1957 discusses the situations in which the use of copyrighted work will be deemed infringed. Mr. Hamza, a faculty at the School of Law, Presidency University Bangalore, has used and distributed scanned copies of a book to a class of 50 students, whose copyright originally vests with Mr. V K Ahuja. Decide on the above situation in the light of decided case laws.

(CO1) [Application]