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**PRESIDENCY UNIVERSITY
BENGALURU**

**SCHOOL OF LAW
END TERM EXAMINATION - JUN 2023**

Semester : Semester VIII - 2019

Course Code : LAW408

Course Name : Sem VIII - LAW408 - Intellectual Property Law-II

Program : BAL,BBL&BCL

Date : 16-JUN-2023

Time : 1.00PM - 4.00PM

Max Marks : 100

Weightage : 50%

Instructions:

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

(10 X 10 = 100M)

1. Compulsory Licences as set out in the Act are intended to strike a balance between public interests and the legitimate interests of the owners of patents. Comment.
(CO1) [Application]
2. Critically analyze the concept of Evergreening of Patents. Differentiate the Evergreening of Patents with the Patent of Addition.
(CO1) [Comprehension]
3. A government employee is working on an invention in collaboration with a researcher at the Illinois Institute of Technology (which is funded by the Government of USA). The research is based on the biological resources available in Mangalore (Karnataka). The Indian researcher has shared the research details and outcome with the researcher from IIT USA. Discuss the situation in light of the provisions of the Biodiversity Act 2002.
(CO2) [Application]
4. In 1991, India opened its doors to foreign investments and became an open economy. Though, on one side that has brought stabilization in the Indian economy but on the other side, it has destabilized the biodiversity. In light of the same, write a detailed note on the adoption of laws related to the protection of inventions based on biological diversity.
(CO2) [Comprehension]
5. What kind of knowledge do indigenous people have? Can such knowledge be subjected to copyright? Critically discuss.
(CO3) [Comprehension]

6. What is an industrial design? Discuss the scope of protection for a design under the Designs Act 2000.
(CO4) [Comprehension]
7. What are the essential requirements for the registration of industrial design? Differentiate between the Industrial Designs and the Trademark.
(CO4) [Comprehension]
8. Critically analyze the possibilities of protecting the traditional knowledge under the Indian Patent Act.
(CO3) [Comprehension]
9. Write a detailed note on the registration process of patents in India, along with the requisite forms to be submitted at each stage.
(CO1) [Comprehension]
10. 'A,' an Indian citizen, has invented a method that can help effectively remove cancerous tissues from the patient's body within much less time than it usually takes. To get patent protection in India and all the Patent Cooperation Treaty member countries, 'A' approaches you seeking advice and help to fill the patent application. Being a patent agent, advise 'A' about the validity of the invention in light of patentability criteria and patent-eligibility criteria.
(CO1) [Application]