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**PRESIDENCY UNIVERSITY  
BENGALURU**

**SET B**

**SCHOOL OF LAW  
END TERM EXAMINATION - JAN 2024**

**Semester :** Semester VII - 2020

**Course Code :** LAW408

**Course Name :** Intellectual Property Law- II

**Program :** BBA LLB Honors

**Date :** 10-JAN-2024

**Time :** 1:00 PM - 4:00 PM

**Max Marks :** 100

**Weightage :** 50%

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**Instructions:**

- (i) Read all questions carefully and answer accordingly.
  - (ii) Question paper consists of 1 part.
  - (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**

**10 X 10M = 100M**

1. A patent holder has a right to prohibit all third parties from making or using the patented product or process without their consent. Discuss  
(CO1) [Comprehension]
2. Patent lacking novelty and obvious to persons skilled in the art cannot be revoked". Examine the statement in the light of relevant cases.  
(CO1) [Comprehension]
3. A foreign citizen along with an Indian citizen undertakes bio-diversity-related activities in the Western Ghats without any prior permission from the concerned authorities. The locals complained about the rampant use of natural resources, however, the Indian citizen argued that since he is a citizen of India, no permission is required for him to use the natural resources in the country. Decide with the help of relevant provisions, powers, and functions of the authorities.  
(CO2) [Comprehension]
4. 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) [Comprehension]
5. What do you understand by industrial designs? Could a design be simultaneously protected under the Designs Act as well as the Trademark Act? Explain.  
(CO3) [Comprehension]

6. Explain the meaning of Design applied to articles. Also, discuss in detail the procedure and conditions for registration of a design under the Act.  
(CO3) [Application]
7. Explain in detail the concept of Trade Secret in relation to the Intellectual Property Rights. How can someone protect its confidential information in Indian subcontinent?  
(CO4) [Application]
8. Discuss in detail the registrable and non-registrable plant varieties in India. Also, discuss about the criteria for protecting a plant variety.  
(CO4) [Application]
9. The rationale underlying the theory of 'exhaustion' is that the patentee should not be allowed to profit repeatedly on the same good. Discuss the doctrine of exhaustion' under patent law in the light of relevant provisions and case laws.  
(CO1) [Application]
10. Discuss the nature and scope of protection under the Semiconductor Integrated Circuits Layout-Design Act, 2000. Why was the said subject matter not covered by the Copyright Act and Designs Act  
(CO3) [Application]