

LL. B- 404

LL.B. DEGREE FOURTH SEMESTER EXAMINATIONS
PAPER-IV: INTELLECTUAL PROPERTY RIGHTS' LITIGATION

(W.E.F. Admitted Batch 2016-17)

Time: 3 Hours

Maximum: 75 Marks

PART- A

Answer any Five questions.

5x3=15 Marks

- I. a) Neighbouring Right
b) Patent of addition
c) Anton piller order
d) Deceptive similarity
e) Distinctiveness
f) Geographical indication
g) Specification
h) Originality
i) Fair use

PART- B

Answer All questions.

4x10=40 Marks

- II. a) Define Intellectual Property. Explain its broad classification.
OR
b) Explain the essential features of Berne Convention.
- III. a) What are Author's special rights under copyright law? Discuss the remedies for infringement of copyright.
OR
b) What are the rights of an owner of a copyright in literary work? When are use of such work considered to be fair use?
- IV. a) What are Registrable Trademarks? What is the procedure for registration of Trademark?
OR
b) Define Trademark. What are the conditions for refusal to register a trademark under the Trademark Act, 1999?
- V. a) What are the remedies available for infringement of exclusive marketing rights?
OR
b) Discuss the procedure for applying for a patent. What are the rights of a patentee?

PART- C

Answer any Two questions.

2x10=20 Marks

- VI. X is the owner of Rama theatre. Y hired the theatre and he is exhibiting a movie to the public. The producer of the movie comes to know that the film is pirated copy of the original. He files a suit against X and Y for infringement of his copyright. Decide.
- VII. A watch company used the photo of the Idol of Lord Venkateswara as a range of watches produced by it. On what grounds can the use and registration of the mark be objected?
- VIII. A non- governmental organization working for the protection of the rights of disabled copyright material for its objectives but without permission from the copyright crimes. Does it amount to infringement copyright? Decide.
- IX. Mr. A wants to start the business of marketing tea powder under the trade mark 'DESI'. He wants to register the trade mark 'DESI' for this tea business. Will he be successful?