

LLM 3rd Semester Examination, 2015

**LAW OF INDUSTRIAL AND
INTELLECTUAL PROPERTY**

PAPER – LLM-301

Full Marks : 100

Time : 4 hours

Answer any four questions.

The figures in the right-hand margin indicate marks

*Candidates are required to give their answers in their
own words as far as practicable*

Illustrate the answers wherever necessary

1. "Intellectual Property is the creative work of the human intellect. The main aim of its protection is to promote the progress of science and technology, arts, literature and other creative works." Examine the above statement with relation of intellectual property also known as umbrella rights.

25

(Turn Over)

2. IPRs assumed central importance in the recent past throughout the world. To meet the challenges posed by socio, economic and technological development how far the TRIPs and several treaties have been successful ? 25
3. "Computer programme must contain a set of instructions expressed in words, codes or in any other form including a machine readable medium." Critically examine the debate over software piracy and databases with the help of D.B. Modak vs. Eastern Book Company AIR 2009. Case. 25
4. "Bio-technology plays an important role in the fields of medicine, food, fertilizer and protection of environment." Critically examine law on biotechnology in India and TRIPs Agreement to protection of biological materials. 25
5. "Traditional knowledge is the knowledge which is passed from generation to generation which includes folklore, indigenous knowledge etc." Examine law on Traditional knowledge in India in support of Bio-piracy in India. 25

(3)

6. Critically examine the relation between trademarks and consumer protection in India. Support your answer with the decided cases. 25
7. There is a close relationship between Intellectual Property and Human rights. Examine the law on commercial exploitation of Intellectual Property Right. 25
8. Write short notes on (any two) : $12\frac{1}{2} \times 2$
- (i) Sui generis protection for plant varieties
 - (ii) Trade secrets in India
 - (iii) Doha Round on R and D
 - (iv) Unfair Trade practice and Intellectual Property.
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