

**NALSAR PROXIMATE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD
P.G.DIPLOMA IN PATENTS LAW**

**2013-14
Supplementary Exams (November, 2014)**

PAPER I - Introduction to IPR & Patents / American and European Patent Regimes

Time: 2 ½ hours.

TOTAL MARKS: 90

INSTRUCTIONS TO CANDIDATES

- 1. The questions to be interpreted as given and no clarification can be sought from the invigilator.**
- 2. No printed or handwritten materials will be allowed in the hall.**
- 3. All questions carry equal marks (15 each).**
- 4. Answer any six questions, additional answers after 6 answers will be not marked.**
- 5. Clearly indicate the Question numbers.**
- 6. Short notes not to exceed 75 words, Long answers not to exceed 250 words.**
- 7. Imaginary case laws used in the answer will result in striking of the answers in total.**

ANSWER ANY SIX OF THE FOLLOWING QUESTIONS ONLY

1. Write Short notes on:
 - a. The non-patentable subject matter.
 - b. Interpretation of 'originality' under the copyright law.
 - c. Difference between certification trade mark and collective trade mark.
2. Write Short notes on:
 - a. Trade Mark Dilution.
 - b. The rationale behind the protection of industrial design.
 - c. "Plant Varieties and Farmers Right Act, 2001, attempts to serve two masters at the same time." Examine.
3. Analyze the principles of 'non-obviousness' with the help of decided cases.
4. Substantiate the principle of secondary liability in copyright infringement in the light of some cases on it.
5. "Trademarks are often the most important assets of any business enterprise. Therefore, great care is required to be taken at the time of choosing a trade mark." In the light of this statement, explain the requisites of a good trademark from the standpoint of a trader who is about to select a trademark for a new business venture.
6. Define dependent, independent claims and misinterpretation of claim. Elaborate doctrine of claim differentiation and the effects of this doctrine according to class, scope and focus.
7. Explain the doctrine of merger under copyright law with proper case laws.
8. "Intellectual property right becomes the subject of attention and debate largely as a result of TRIPs Agreement under WTO though WIPO was serving for Intellectual property right exclusively" – substantiate the statement.