



17068

**BRAINWARE UNIVERSITY****Term End Examination 2024-2025****Programme – B.A. LL.B.-2022****Course Name – Intellectual Property Law****Course Code - BALLB605****(Semester VI)**

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Barasat, Kolkata- 700125

Full Marks : 60**Time : 2:30 Hours**

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A**(Multiple Choice Type Question)****1 x 15=15****1. Choose the correct alternative from the following :**

- (i) Which of the following is NOT an international instrument concerning IPR?
a) Berne Convention
b) TRIPS Agreement
c) WIPO Convention
d) Kyoto Protocol
- (ii) Under the Indian Trademarks Act, which of the following is an absolute ground for refusal of registration?
a) Deceptive similarity
b) Lack of distinctiveness
c) Prior registration in another country
d) Non-use
- (iii) Which international treaty primarily governs patents?
a) Berne Convention
b) Paris Convention
c) Madrid Protocol
d) Hague Agreement
- (iv) Which Act governs industrial design protection in India?
a) Patent Act, 1970
b) Copyright Act, 1957
c) Design Act, 2000
d) Trademark Act, 1999
- (v) Which is not the criteria for the patentability?
a) Novelty
b) Utility
c) Moral acceptability
d) Non-obviousness
- (vi) What does the acronym "IP" stand for in Intellectual Property law?
a) International Protection
b) Intellectual Property
c) Invention Process
d) Industrial Protocol
- (vii) Which of the following is not a form of Intellectual Property?
a) Patent
b) Copyright
c) Stock
d) Trademark
- (viii) What is the term for the exclusive right granted to the creator of an original work?
a) Trademark
b) Copyright
c) Patent
d) Trade secret
- (ix) Select the legal term for the unauthorized use or reproduction of someone else's work.

- a) Infringement
- c) Plagiarism
- (x) Which agreement provides a framework for international trade?
 - a) Paris Convention
 - c) Madrid Protocol
- (xi) Which of the following is not a benefit of intellectual property protection?
 - a) Encouragement of innovation
 - c) Economic growth
- (xii) What is the term for the legal doctrine that allows limited use of copyrighted material without permission?
 - a) Fair use
 - c) Open source
- (xiii) What is the term used to describe the legal document that defines the scope of protection granted by a patent?
 - a) Patent claims
 - c) Patent proclamation
- (xiv) What is the term used to describe the exclusive right of a patent holder to exclude others from making, using, selling, or importing the patented invention?
 - a) Patent monopoly
 - c) Patent entitlement
- (xv) What is the term used to describe the time period during which an inventor must file a patent application after publicly disclosing the invention?
 - a) Grace period
 - c) Patent filing grace period
- b) Piracy
- d) Counterfeiting
- b) TRIPS Agreement
- d) Berne Convention
- b) Promotion of competition
- d) Incentive for creativity
- b) Public domain
- d) Creative Commons
- b) Patent description
- d) Patent specification
- b) Patent privilege
- d) Patent authority
- b) Patent disclosure window
- d) Patent priority period

Group-B

(Short Answer Type Questions)

3 x 5=15

- 2. What is Intellectual Property Right (IPR), and why is it needed? (3)
- 3. Explain the need for trademark protection in modern commerce. (3)
- 4. Identify the key provisions of the Berne Convention on copyright? (3)
- 5. What are the remedies available for design infringement? (3)
- 6. Analyse the significance of patent revocation. (3)

OR

- Analyse the concept of infringement of patent. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

- 7. How do traditional knowledge and indigenous rights challenge the Western concept of IPR? (5)
- 8. Critically illustrate the trademark dilution doctrine with case references. (5)
- 9. How does industrial design protection differ from other forms of IP? (5)
- 10. Evaluate the case of Time Incorporated v. Lokesh Srivastava (2005). (5)
- 11. Illustrate the concept of Modicum of creativity. (5)
- 12. Evaluate how do shape trademarks overlap with design protection? (5)

OR

- Explain the impact of piracy on the Indian fashion industry. (5)
