



15568

**BRAINWARE UNIVERSITY****Term End Examination 2024-2025****Programme – BBA LL.B.-2022****Course Name – Intellectual Property Law****Course Code - BBALLB605****( Semester VI )**

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**SCHOOL OF LAW**  
 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. *Choose the correct alternative from the following :*

1 x 15=15

- (i) What does the term "infringement" refer to in Intellectual Property law?  
 a) Unauthorized use of protected property      b) Fair use of copyrighted material  
 c) Public domain works      d) Trademark dilution
- (ii) Which international treaty deals with the protection of literary and artistic works?  
 a) Berne Convention      b) Paris Convention  
 c) Madrid Protocol      d) TRIPS Agreement
- (iii) Select the term of duration of copyright protection in most countries.  
 a) 10 years      b) 50 years  
 c) The life of the author plus 70 years      d) 100 years
- (iv) Which type of intellectual property protects inventions?  
 a) Patent      b) Copyright  
 c) Trademark      d) Trademark
- (v) Which of the following is NOT a right granted to copyright owners?  
 a) The right to reproduce the work      b) The right to perform the work publicly  
 c) The right to privacy      d) The right to prepare derivative works
- (vi) Which of the following is NOT a form of copyright infringement?  
 a) Reproducing a copyrighted book without permission      b) Selling unauthorized copies of a movie  
 c) Using copyrighted music in a school project without permission      d) Purchasing a legally obtained copy of a video game
- (vii) What is the term used to describe the exclusive rights granted to a patent holder under the Patent Act?  
 a) Rights in rem      b) Rights of public  
 c) Patent rights      d) Rights in personam
- (viii) Choose from the following can a colour be registered as a trademark in India?  
 a) Yes, if it is distinctive      b) No

- c) Only for international brands d) Only for food products
- (ix) Choose from the following what is a "collective trademark"?
- a) Trademark owned by an individual b) Trademark owned by an association
- c) Trademark for international trade d) Trademark for government use
- (x) Choose from the following can foreign companies register a trademark in India?
- a) Yes b) No
- c) Only through an Indian partner d) Only for five years
- (xi) Choose from the following what does "priority claim" mean in trademarks?
- a) Faster registration b) Claiming an earlier filing date in another country
- c) Automatic approval d) Additional government fee
- (xii) What happens if a design is not renewed after 10 years?
- a) It remains protected b) It lapses
- c) It is extended automatically d) It becomes a patent
- (xiii) What is the penalty for design infringement?
- a) Fine only b) Fine and imprisonment
- c) Cancellation of design d) No penalty
- (xiv) Which treaty governs international trademark registration?
- a) TRIPS Agreement b) Madrid Protocol
- c) Paris Convention d) Rome Convention
- (xv) Which treaty is related to the protection of performers, producers of phonograms, and broadcasting organizations?
- a) Rome Convention b) Berne Convention
- c) TRIPS Agreement d) Paris Convention

#### Group-B

(Short Answer Type Questions)

3 x 5=15

2. How does the Patent Cooperation Treaty (PCT) benefit inventors? (3)
3. What is the main purpose of trademarks? (3)
4. Construct a note on copyright infringement. (3)
5. Identify the industries that commonly use patents. (3)
6. Classify types of works which are protected by copyright. (3)

OR

Analyse the concept of fair use in copyright law. (3)

#### Group-C

(Long Answer Type Questions)

5 x 6=30

7. A company releases a chair with a unique artistic shape, but another company copies it. Can they sue? Explain. (5)
8. A fashion brand claims its dress design is copied. Can it claim design protection? Explain. (5)
9. Evaluate the case of Novartis AG v. Union of India (2013) ruling impact patent law in India. (5)
10. Analyse the concept industrial design as an intellectual property. (5)
11. What are the criteria for industrial design protection? (5)
12. Evaluate the case of Sony Computer Entertainment v. Harmeet Singh (2010). (5)

OR

Evaluate the case of Sholay Media v. RGV Productions (2011). (5)

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