



# BRAINWARE UNIVERSITY

Term End Examination 2023-2024

Programme – BBA LL.B.-2021

Course Name – Intellectual Property Law

Course Code - BBALLB605

( Semester VI )

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 a form of Intellectual Property?
  - a) Patent
  - b) Copyright
  - c) Stock
  - d) Trademark
- (ii) Identify the type of Intellectual Property that protects inventions and processes
  - a) Copyright
  - b) Trademark
  - c) Patent
  - d) Trade secret
- (iii) Choose the term used to describe the exclusive rights granted to the creator of an original work
  - a) Patents
  - b) Trademarks
  - c) Copyrights
  - d) Trade secrets
- (iv) Identify the term "trade secret" refer to in Intellectual Property law
  - a) Information known to the public
  - b) Registered trademarks
  - c) Confidential business information
  - d) Public domain works
- (v) What is the term for a distinctive sign that identifies certain goods or services?
  - a) Copyright
  - b) Trademark
  - c) Patent
  - d) Trade secret
- (vi) Which of the following is NOT a requirement for patentability?
  - a) Novelty
  - b) Inventiveness
  - c) Utility
  - d) Public disclosure
- (vii) Identify the international treaty that establishes minimum standards for intellectual property rights
  - a) Paris Convention
  - b) Berne Convention
  - c) TRIPS Agreement
  - d) WIPO Copyright Treaty
- (viii) Which of the following is not a type of trademark?
  - a) Service mark
  - b) Trade secret
  - c) Certification mark
  - d) Certification mark

- (ix) Which type of trademark is used to identify the source of services?
  - a) Trade name
  - b) Service mark
  - c) Brand mark
  - d) Coctive mark
- (x) What is the term for the process of transferring ownership of intellectual property?
  - a) Licensing
  - b) Assignment
  - c) Acquisition
  - d) Leasing
- (xi) What is the term for the legal right to exclude others from using an invention?
  - a) Copyright
  - b) Trademark
  - c) Patent
  - d) Trade secret
- (xii) Which of the following is a criticism of the Sweat of the Brow doctrine?
  - a) It promotes innovation
  - b) It restricts access to information
  - c) It encourages creativity
  - d) It emphasizes originality
- (xiii) Which of the following countries has rejected the Sweat of the Brow doctrine in favor of requiring originality for copyright protection?
  - a) United States
  - b) United Kingdom
  - c) Canada
  - d) Australia
- (xiv) What is the primary rationale behind the Sweat of the Brow doctrine?
  - a) Encouraging creativity
  - b) Protecting investment
  - c) Promoting public access
  - d) Rewarding labor
- (xv) Which of the following is a potential consequence of applying the Sweat of the Brow doctrine to digital works?
  - a) Increased piracy
  - b) Enhanced distribution
  - c) More collaboration
  - d) Lower production costs

### Group-B

(Short Answer Type Questions)

$$3 \times 5 = 15$$

2. What is a utility patent? (3)
3. What is a patent troll? (3)
4. What is a collective mark? (3)
5. What is intellectual property licensing? (3)
6. Analyze the Madrid System (3)

**OR**

Analyze the doctrine of equivalents in patent law (3)

### Group-C

(Long Answer Type Questions)

$$5 \times 6 = 30$$

7. Explain the meaning of copyright. (5)
8. What is the purpose of copyright law? (5)
9. What is public domain? (5)
10. Assess the fair use doctrine. (5)
11. Explain the transferability clause of copyright. (5)
12. Analyse the validity of software under the Patent Act. (5)

**OR**

Evaluate the process for obtaining a patent under the Patent Act. (5)

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