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SCHOOL OF LAW
Barasat Kolkata 700131

Programme – B.A. LL.B.-2022/B.A. LL.B.-2023

Course Code - BALLB605

(Semester VI)

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.]

(Multiple Choice Type Question)

$$1 \times 15 = 15$$

1. Choose the correct alternative from the following :

- (i) Which of the following does NOT qualify as a well-known trademark?
 - a) Coca-Cola
 - b) Apple
 - c) A newly registered mark
 - d) McDonald's
- (ii) What is the primary function of the Controller of Patents?
 - a) To grant patents
 - b) To hear trademark disputes
 - c) To register copyrights
 - d) To protect trade secrets
- (iii) Which international instrument primarily dealt with patents?
 - a) Berne Convention
 - b) Paris Convention
 - c) Madrid Protocol
 - d) Hague Agreement
- (iv) 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
- (v) Which international organization administers trademarks and patents?
 - a) WHO
 - b) UNICEF
 - c) WIPO
 - d) NATO
- (vi) What is the term for a distinctive sign that identifies certain goods or services?
 - a) Copyright
 - b) Trademark
 - c) Patent
 - d) Trade secret
- (vii) Who grants patents in the United States?
 - a) USPTO
 - b) WIPO
 - c) UNESCO
 - d) WHO
- (viii) Select from the following :A design must be _____ to be registered under the Act.
 - a) Novel
 - b) Functional
 - c) Similar to an existing design
 - d) Previously published
- (ix) Who can apply for design registration?

- a) Only individuals
c) Both individuals and companies
- b) Only companies
d) Only government organizations
- (x) Where is the head office for design registration in India?
a) Delhi
c) Kolkata
b) Mumbai
d) Chennai
- (xi) What is the purpose of design registration?
a) Protect aesthetic aspects
c) Protect chemical composition
b) Protect functionality
d) Protect geographical indications
- (xii) Select from the following :The application for design registration must include:
a) A drawing or photograph
c) A patent document
b) A trademark
d) A copyright notice
- (xiii) Which treaty is related to the protection of performers, producers of phonograms, and broadcasting organizations?
a) Rome Convention
c) TRIPS Agreement
b) Berne Convention
d) Paris Convention
- (xiv) Which treaty protects expressions of folklore and traditional knowledge?
a) TRIPS
c) Berne Convention
b) WIPO Performances Treaty
d) WIPO Traditional Knowledge Treaty
- (xv) Select from the following :The Geneva Act of the Lisbon Agreement was adopted in which year?
a) 2015
c) 2010
b) 2020
d) 1995

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Explain the role of the Berne Convention, 1886, in IPR protection. (3)
3. Compare between copyrights, patents, and trademarks. (3)
4. What is the difference between moral rights and economic rights in IPR? (3)
5. Apply your knowledge and say who grants patents. (3)
6. Examine the scope of non-patentable inventions under the Indian Patent Act. (3)

OR

Explain infringement of patent.

(3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Summarize the challenges of enforcing IPR in the digital environment. (5)
8. Examine the challenges in copyright protection of AI-generated works. (5)
9. Evaluate the case of Eastern Book Company v. D.B. Modak (2008). (5)
10. Explain the case of Yahoo! Inc. v. Akash Arora (1999). (5)
11. A phone company makes a foldable phone with a unique hinge. Explain whether it can receive design and patent protection. (5)
12. Evaluate the case of Dabur India Ltd. v. Emami Ltd. (2015). (5)

OR

Evaluate how did Samsung Electronics Co. v. Apple Inc. (2016) influence design patent damages.

(5)
