



BRAINWARE UNIVERSITY

Term End Examination 2022

Programme – LL.M-2020/LLM-2021

Course Name – IPR: Jurisprudential Development & International Perspectives

Course Code - LLM303A

(Semester III)

Time : 2:30 Hours

Full Marks : 60

[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) Choose one of the following which is related to the term of copyright in case of joint authors.
- a) 60 years from first publication
b) Lifetime of any one author + 60 years
c) Lifetime of lastly deceased author + 60 years
d) None of these
- (ii) Determine the term which is for how many years. If no term of years of copyright assignment is specified in the agreement
- a) 5
b) 10
c) 20
d) 60
- (iii) Choose one of the following which is related to an assignment and licences for the copyright which can be registered with.
- a) Registrar of Copyright
b) Central Govt.
c) Controller of Copyright
d) State Govt.
- (iv) Clarify the situation or circumstance where the copyright board will grant the compulsory licence.
- a) Refused to republish
b) Refused to pay tax to the government
c) Refused to assign copyright to other person
d) None of these
- (v) Clarify one of the following which is not the infringement of copyright.
- a) Copy the software to another computer
b) Question option will be Copy the software to another computer by any business Institute
c) Copy the software to another computer by educational institution
d) To make back up copies.
- (vi) Identify one of the following which is related to an Intellectual Property Rights which protects the use of information and ideas.
- a) Ethical value
b) Moral value
c) Social value
d) Commercial value

- (vii) Choose one of the following which is related to an unregistered trademark
- | | |
|---------------------|--------------------|
| a) Trade Symbol | b) Common Law Mark |
| c) Regi. Trade Mark | d) Symbol |
- (viii) Choose one of the following where the proprietor of trademark shall not be entitled to institute any proceeding to prevent or to recover damages for the infringement
- | | |
|---------------------------|-------------------------|
| a) Numerals | b) Registered Trademark |
| c) Unregistered Trademark | d) Symbols |
- (ix) Identify one of the following which is related to the term Intellectual Property Rights.
- | | |
|----------------|-----------------|
| a) Copyrights | b) Patents |
| c) Trade marks | d) All of these |
- (x) Identify one of the following which can be patented
- | | |
|--------------------------|-----------------|
| a) Machine | b) Process |
| c) Composition of matter | d) All of these |
- (xi) Infer the main essentials of trademark.
- | | |
|-----------------------|----------------------|
| a) Distinctiveness | b) Easy to pronounce |
| c) It should be short | d) Invented word |
- (xii) Write about an act under which the service marks are registerable.
- | | |
|-------------------------------------|---|
| a) Trade and Service Marks Act 1999 | b) Trade and Merchandise Marks Act 1958 |
| c) Trademarks Act 1999 | d) Service Marks Act 1958 |
- (xiii) Identify one of the following which is related to the type of intellectual property one can use to show that the clothes are made by his company Imagine a footballer sets up his own company to sell his own range of clothes.
- | | |
|---------------|-----------------------|
| a) copyright | b) patents |
| c) trademarks | d) registered designs |
- (xiv) Identify one of the following which is related to the type of intellectual property one can use to stop others from copying their invention, If a company develops a new technology that improves its main product.
- | | |
|--------------|-----------------------------|
| a) copyright | b) geographical indications |
| c) patents | d) trademarks |
- (xv) Identify one of the following which is related to the convention of Intellectual Property.
- | | |
|---------------------|---------------------|
| a) Paris Convention | b) Berne Convention |
| c) Budapest Treaty | d) WIPO |

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Explain about the difference between trademarks, patents and copyrights (3)
 3. Explain about an Intellectual Property Rights (3)
 4. Interpret about the essential patent documents which are to be generated and submitted by a potential patentee (3)
 5. Determine that whether the grant of a patent in one country affect its grant or refusal in another country (3)
 6. Express that whether it is necessary to register a work to claim copyright (3)
- OR**
- Express that where I can file an application for registration of copyright for a work (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. State about the Copyright (5)
8. Explain about the concept of the protection of plant varieties. (5)

9. Explain the international legal regimes for the protection of intellectual property (5)
10. Explain about the relevant provisions under TRIPS (5)
11. Explain that whether computer Software or Computer Programme can be registered (5)
12. Evaluate the effect of registration of design (5)

OR

Evaluate that who can apply for the registration of a geographical indication. (5)
