

**Subject : Law Relating to Protection & Recognition of Patent**

Day : Tuesday

Date : 22/11/2016

**S.D.E.**



Time : 10.00 AM TO 01.00 PM

Max Marks : 80 Total Pages : 1

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**N.B.:**

- 1) Attempt any **SIX** questions including Q. No. 1 which is **COMPULSORY**.
  - 2) Q. No. 1 carries 20 marks and all other questions carry 12 marks each.
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**Q.1** Write short notes on any **FOUR** of the following:

- a) Definition of invention
- b) Colorable imitation
- c) Provisional specification
- d) Compulsory licence
- e) Defences available against infringement
- f) Features of TRIPS.

**Q.2** “Fundamental principles of patent law is that a patent is granted only for an invention which must be new and useful.” Comment and discuss patentable and non-patentable inventions.

**Q.3** “Where a patentee taken out for a process for arriving at a known result any other person may take out a patent for another process.” Discuss this statement with the provisions of process patent.

**Q.4** “The turmeric patent is just the first step in stopping by bio-piracy.” Discuss this statement with recent case laws of bio-piracy.

**Q.5** Define ‘Compulsory license’ and discuss the concept of assignment and licenses of patent.

**Q.6** “If the specification is not properly drafted or specification furnished does not enable the person knowing the art to work the specification, grant of patent will be refuse”. Comment and critically elaborate the concept of Specification.

**Q.7** ‘The controller of patents is not a civil court’. Discuss.

**Q.8** “Patent system of fuel of interest to fire of genius”. Justify the statement in the light of nature and scope of patent.

**Q.9** “Licensing cannot sue for infringement unless the terms of the license granted to him authorise the licensee to do so”. Comment on explain defenses of against infringement.

**Q.10** Write a note on any **TWO** of the following:

- a) Paris Convention for Protection of Intellectual Property
- b) Nuclear and defence Patents
- c) TRIPS and Patents.

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