



II Semester LL.M. Examination, December 2012

Spl. Paper – 2 : LAW OF PATENTS IN INDIA (IPR Law Branch)

Duration : 3 Hours

Max. Marks : 80

- Instructions:** 1. Answer **all 5** questions.
2. Figures to the **right** indicate **marks**.
3. Answer should be written **only** in **English**.

Q. No. 1. (a) Explain the requisites of an invention or a process for which a patent can be granted. Marks : 10

OR

Trace the historical development of patent law in India. Add a note on the position of patent law in India from the global perspective.

(b) Write an explanatory note on the importance of inventions for the socio-economic growth of the country. Marks : 6

OR

Distinguish between Patent and Invention.

Q. No. 2. (a) Discuss the basic principles underlying the patent law in India by comparing with the national patents system in UK and USA. Marks : 10

OR

How are novelty, inventive step and utility of an invention determined ? Explain.

(b) Distinguish between invention and discovery. Marks : 6

OR

Distinguish between patented inventions and know how.

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Q. No. 3. (a) Explain the inventions that are patentable in India.

Marks : 10

OR

Explain the general procedure for securing and maintaining patents in India.

(b) Write a note on :

Marks : 6

Effect of non filing of complete specification.

OR

Opposition to grant of patent.

Q. No. 4. (a) What is meant by 'Compulsory license' ? Enumerate the powers of the controller under the Patent Act for granting compulsory license.

Marks : 10

OR

What are the powers of Central Government to use the inventions for purposes of Government ?

(b) Write an explanatory note on the grounds of revocation of a patent .

Marks : 6

OR

Enumerate the rights conferred on patentee by patent law.

Q. No. 5. (a) Identify the main objectives of TRIPS. Discuss briefly the role of international institutions in implementation and harmonization of patent regime.

Marks : 10

OR

Indicate the basic principles that were recognized in Paris Convention for the protection of Industrial Property.

(b) Write a note on :

Marks : 6

Patent Co-operation Treaty, 1970.

OR

WIPO Substantive Patent Law Treaty (SPLT).