



Second Semester LL.M. Examination, June/July 2012
Course – IV : LAW OF PATENTS IN INDIA (IPR Law Branch)
(Specialisation Paper – II)

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) What is meant by 'Patent' ? State the 'inventions which are not patentable' under the Patent Act. Marks : 10

OR

Examine the importance of inventions for technological, socio-economic growth of the country in particular and world in general.

(b) How does the patent system contribute for the stimulation and motivation of innovative activities ? Marks : 6

OR

Distinguish between process and product patents.

Q. No. 2. (a) Discuss briefly the salient features of the Indian Patents Act, 1970. Add a note on the circumstances which lead to the comprehensive amendment of the Patent Act. Marks : 10

OR

Recognize the requisites of an invention or a process for which a patent can be granted. Refer to cases.

(b) Comment on the 'inventions relating to Biotechnology'. Marks : 6

OR

What do you mean by utility (industrial application) of an invention ? Illustrate.

P.T.O.

0261

Q. No. 3. (a) Explain the procedure for obtaining a patent under the Patent Act, 1970.

Marks : 10

OR

Define "specification". What are the requirements to be fulfilled by the applicant to claim provisional and complete specification under Patent Act ? Explain.

(b) Write a note on :
Patent of addition

Marks : 6

OR

Grounds for opposing the grant of patent.

Q. No. 4. (a) What is 'Abuse of Patent' ? How does the Patent Act provide remedy to such abuse ? Explain.

Marks : 10

OR

What are the circumstances under which the Central Government can acquire inventions and patents under the Act ?

(b) Write an explanatory note on 'Compulsory License'.

Marks : 6

OR

Name the grounds for revocation of a patent.

Q. No. 5. (a) "The Indian Patent Act has been amended number of times to comply with the TRIPS agreement, but still the management of the patent in agricultural and pharmaceutical sectors is rather ambiguous". Discuss.

Marks : 10

OR

Examine the outcome of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms.

(b) Write an explanatory note on :
Patent Cooperation Treaty (PCT)

Marks : 6

OR

International Patent Classification System.