

School of Law

Bachelor of Law
ETE - Jun 2023

Time : 3 Hours

Marks : 50

Sem VIII - BALB4030/BBLB4030

Patent Right Creation and Registration

Your answer should be specific to the question asked

Draw neat labeled diagrams wherever necessary

1. Write note on Product Patent and Process Patent. K2 CO5 (2)
2. Explain 'Bolar provision' and 'Parallel import'. K2 CO4 (2)
3. Identify the major flexibilities provisions of Trade Related Aspects of Intellectual Property (TRIPS) incorporated to patent law. K1 CO1 (2)
4. Explain in brief the concept of Surrender of patents. K2 CO3 (2)
5. Identify the Ordinance which has been promulgated to abolish the Intellectual Property Appellate Board ("IPAB"). K1 CO2 (2)
6. Enumerate what amounts to infringement of a Patent & also identify which acts do not constitute infringement. K3 CO1 (5)
7. Discuss the impact of TRIPS Agreement on Indian Patent regime. K3 CO2 (5)
8. Discuss provisional specifications and complete specifications in a Patent application. K4 CO6 (6)
9. Ujjwal, an entrepreneur and owner of the startup "UJW solar" has developed a cheap solar-based battery. He wishes to have a patent for said invention at the earliest. Ujjwal came to know about expedited examination. Explain the same as per the provisions of the Patents Acts and Rules. In another patent application, Ujjwal has already filed a request for examination. The application has been awaiting examination for a long time. If he wants that application to be taken for examination immediately what steps are required? K5 CO5 (8)
10. "Claims made by the inventor in the complete specification only confers monopoly". Discuss the significance of claims in the patent prosecution. K5 CO4 (8)
11. A leading natural products specialist, Leelavati on her return to India set up a new institute called Herbal Advance Research Institute (HARI), in Lucknow. Researching in natural products, she filed a patent application in India, jointly with her colleague Dr. Prathiba for a herbal composition for water purification and called the product "PaniPure". They were granted a patent for "PaniPure" as inventor applicants in 2021. Dr. Prathiba left HARI and joined a Water Treatment Company "AquaTreat" in Jammu to whom she licensed the patent. "AquaTreat" started marketing the product "PaniPure" based on this invention. Leelavati got to know about this development from the local newspapers. She has approached you for advice on the steps she can take to protect her interest. Analyze. K4 CO3 (8)