

| | | | | |
|--|--|---------------------|---------|-------|
| Name. | | Printed Pages:01 | | |
| Student Admn. No.: | | | | |
| School of Law Semester End Examination (SEE), Summer Term - August 2023 [Programme: BALLB (Hons.)] [Semester: VIII] | | | | |
| Course Title: Patent Right Creation and Registration | | Max Marks: 50 | | |
| Course Code: BBLB4030 | | Time: 3 Hrs. | | |
| Instructions: | 1. All questions are compulsory. 2. Assume missing data suitably, if any. | | | |
| | | CO | K Level | Marks |
| SECTION-A (10 Marks) | | 2 Marks each | | |
| 1. | Determine the grounds of compulsory license as enumerated by the Indian Patent Act. | CO1 | K1 | 2 |
| 2. | Identify the persons who may file a petition before the High Court for the revocation of patent as enumerated by the Indian Patent Act. | CO2 | K1 | 2 |
| 3. | Determine the various rights conferred on the patentee after the grant of Patent by the Indian Patent Office. | CO3 | K2 | 2 |
| 4. | “Intellectual Property rights play an important role in the economic, technological and cultural development of a country”. In the light of above statement list out the objects of the Patent Act, 1970. | CO4 | K2 | 2 |
| 5. | Point out the principal features of the Patent Cooperation Treaty (PCT). | CO5 | K1 | 2 |
| SECTION-B (16 Marks) | | | | |
| 6. | Identify the types of inventions which are not patentable in India. | CO4 | K3 | 5 |
| 7. | Patent Law in India has undergone major changes. Discuss the important changes in Indian Patent Act. | CO3 | K4 | 5 |
| 8. | All inventions which are novel, useful, and non-obvious are patentable. Comment. | CO5 | K5 | 6 |
| SECTION-C (24 Marks) | | 8 Marks each | | |
| 9. | Analyze the criteria for assessing inventive step as one of the ingredients for patent claim with reference to the case of M/s. Bishwanath Prasad Radhey Shyam v. M/s. Hindustan Metal Industries. | CO3 | K3 | 8 |
| 10. | Critically analyze the Constitutional validity of Section 3(d) of the Patents Act 1970 with reference to the Novartis case. | CO4 | K4 | 8 |
| 11. | Y owns an Indian Patent. X requests for a licence under the patent from Y. Y imposes certain conditions such that X cannot acquire such articles which are not covered by the Patent from any person other than Y. Y also imposes a condition of exclusive grant back in the licence. As an agent do you think these conditions are appropriate? Analyze your answer vis-à-vis the relevant provisions of the patents act. | CO5 | K5 | 8 |