

# School of Law

Bachelor of Law  
ETE - Jun 2023

Time : 3 Hours

Marks : 100

## Sem IV - J1UA411T / BLA03019

### Laws Relating to Patent

*Your answer should be specific to the question asked*

*Draw neat labeled diagrams wherever necessary*

1. Identify the concept introduced through The Commercial Courts Act, 2015, for speedy disposal of commercial disputes, including disputes involving intellectual property rights. K2 CO3 (5)
2. Examine the salient features of Indian Patent Act 1970. K1 CO2 (5)
3. State the meaning of 'invention and 'inventive step' under Patent law. K1 CO1 (5)
4. List the criteria used by the Indian courts to identify patent infringement and cite relevant precedents. K2 CO2 (10)
5. Explain the steps that are taken by the Controller once the patentee offer to surrender his patent. K3 CO4 (10)
- 6) A patent was granted to X on a communication system. After getting the patent X serves a notice of infringement upon Y on the ground that he was infringing the patent granted to X. Y approaches you for suitable advice. Please assess to Y the remedies under the Patents Act. K4 CO5 (10)

### OR

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 CO5 (10)

7. Evaluate the reliefs in suits for infringement of patent under the Indian Patent Act, 1970. K3 CO3 (10)
8. Describe the doctrine of Equivalence by referring to relevant judicial decisions. K4 CO4 (15)
9. An invention made by the employee of a firm in the laboratory of the firm putting hard efforts. Can his employer register the invention in his name? Enumerate. K5 CO6 (15)
- 10) Suma is a homemaker in rural Karnataka. She has a patent for a fish feed formulation. She has been selling the patented product through e-eCommerce platforms and has got very encouraging feedback from the market. Suma has now realized that the addition of 10 % by weight of coconut oil into the formulation extends the disintegration time for fish feed pellets in water. Suma knows that the addition of coconut oil into the fish feed formulations to extract disintegration is well known in the art. Nevertheless, she approaches you seeking means to protect this improved/modified formulation. Advise her. K5 CO5 (15)

### OR

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 (15)