

ADMISSION NUMBER									

School of Business

**Integrated Bachelor of Business Administration - Master of Business Administration
Semester End Examination - Nov 2023**

**Duration : 180 Minutes
Max Marks : 100**

Sem IX - MBIB6004 - International Business Law

General Instructions

Answer to the specific question asked

Draw neat, labelled diagrams wherever necessary

Approved data hand books are allowed subject to verification by the Invigilator

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| 1) | Who are the parties in a letter of credit? | K1 (2) |
| 2) | Explain the relationship between patents and plant breeders' rights. | K2 (4) |
| 3) | Explain the concept of fair use or fair dealing, and how does it relate to copyright. | K2 (6) |
| 4) | Identify the concept of copyright, and what types of works does it protect. | K3 (9) |
| 5) | Identify the functions of a trademark. | K3 (9) |
| 6) | Explain the procedure of revocation of a trademark. | K5 (10) |
| 7) | Examine the international agreements on copyright applicable world wide. | K4 (12) |
| 8) | Appraise the situations under which customs duty may be waived under the Act. | K5 (15) |
| 9) | Explain the remedies that the seller can seek for the buyer's non-payment under the uniform laws regulating the creation of sales contracts. | K5 (15) |
| 10) | XYZ Technologies holds a granted patent for a revolutionary gesture control technology used in their flagship line of smartwatches. The patented technology allows users to navigate through the watch's features and applications using intuitive hand gestures, making it a market leader in the smartwatch industry. Innovative Innovations, a promising start-up, developed its own line of smartwatches with similar gesture control functionality. Unaware of XYZ Technologies' existing patent, Innovative Innovations launched their product line, gaining popularity quickly due to its unique design and features. Upon discovering the similarities between Innovative Innovations' smart watches and their patented technology, XYZ Technologies conducted a thorough investigation. The company found that Innovative Innovations had indeed replicated key elements of their gesture control technology, including specific hand gestures and algorithms. As a result, XYZ Technologies filed a patent infringement lawsuit against Innovative Innovations, alleging that the start-up had willfully copied their patented technology. The case was filed in the appropriate jurisdiction's federal district court, seeking damages for lost profits and an injunction to stop the sale and distribution of the allegedly infringing smartwatches. Questions: a) Examine what constitutes patent infringement, and what are the legal requirements for proving patent infringement in court? b) Evaluate the significance of conducting a prior art search before filing a patent infringement lawsuit, and how does it impact the strength of the plaintiff's case? c) Determine the possible remedies available to XYZ Technologies if the court finds Innovative Innovations guilty of patent infringement? | K6 (18) |