

## School of Law

**Bachelor of Law  
Semester End Examination - Jun 2024**

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

### **Sem II - J1UA219T - International Intellectual Property 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*

- 1) How do international IP laws influence the global distribution of pharmaceuticals? K1(2)
- 2) Analyze the implications of the international standard for the term of copyright protection on the transition of works into the public domain. Discuss how this standard term influences the availability of cultural and educational content globally. K2(4)
- 3) Analyze the impact of international copyright laws on access to knowledge and information, particularly in developing countries. Discuss the role of copyright in promoting innovation and creativity while also considering its potential to limit access to educational resources and scientific research. How do international agreements and exceptions aim to balance these interests? K2(6)
- 4) Explore the evolution of copyright law in response to changes in the music industry, from physical formats through to digital streaming and online distribution. Analyze how international copyright treaties and national laws have adapted to address issues such as copyright infringement, mechanical rights, and performance rights in the digital age. Discuss the balance between protecting the rights of artists, composers, and record labels and ensuring consumer access to music. Consider the effectiveness of recent legal and technological responses to piracy, and the future challenges and opportunities for copyright in the music industry. K3(9)
- 5) Analyze the concept of fair use and its international variations, such as fair dealing in Commonwealth countries. Discuss the challenges of harmonizing fair use exceptions within the global copyright system, considering the diverse legal traditions and cultural values that influence national copyright laws. Evaluate the impact of these differences on international trade, digital content sharing, and K3(9)

scholarly communication. Propose strategies for achieving greater international coherence in copyright exceptions and limitations, considering the roles of major international treaties and agreements.

- 6) Analyze the impact of international copyright law on global education initiatives and the open access movement. Discuss how copyright restrictions affect the availability of educational materials and scholarly publications worldwide. Evaluate the role of copyright exceptions, such as those for academic use, and treaties, including the Berne Convention and the Marrakesh Treaty, in facilitating or hindering access to knowledge. Consider the balance between protecting creators' rights and promoting educational equity, providing examples of how specific countries or institutions have navigated these challenges. K5(10)
- 7) Analyze the role of international copyright law in facilitating or hindering access to knowledge and education, especially in the context of digital resources and the internet. Discuss the implications of copyright exceptions and limitations for libraries, educational institutions, and online learning platforms. Evaluate the effectiveness of measures such as compulsory licensing, fair use/fair dealing, and the Marrakesh Treaty in promoting educational access and the public interest. Propose recommendations for improving international copyright frameworks to better support global educational goals and the free flow of information. K4(12)
- 8) Analyze the role of intellectual property rights in supporting or hindering sustainable development goals (SDGs). Discuss how international IP laws can both foster innovation that contributes to sustainable development and pose challenges to achieving SDGs, particularly in terms of environmental protection, food security, and access to affordable medicines. Evaluate the effectiveness of existing IP frameworks in promoting eco-friendly technologies and traditional knowledge, and propose reforms to ensure that IP laws better align with global sustainability objectives. K5(15)
- 9) Examine the effectiveness of international intellectual property law in protecting and preserving cultural heritage and traditional cultural expressions. Discuss the challenges and limitations of current IP frameworks in safeguarding intangible cultural heritage, including the roles of UNESCO and WIPO in promoting the respect and protection of cultural expressions against unauthorized use and exploitation. Analyze case studies where IP rights have been successfully used to protect cultural heritage, and propose additional measures that could enhance the protection of these invaluable resources on a global scale, ensuring equitable benefits for indigenous and local communities. K5(15)
- 10) Delve into the flexibilities provided by the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and their K6(18)

impact on developing countries. Analyze how provisions such as compulsory licensing, parallel importing, and the protection of traditional knowledge under the TRIPS Agreement have been utilized by developing countries to address public health crises, ensure food security, and protect biodiversity. Discuss the challenges and successes encountered by developing countries in implementing these flexibilities, including resistance from developed countries and multinational corporations. Evaluate the role of international advocacy and negotiation, such as the Doha Declaration on the TRIPS Agreement and Public Health, in expanding the use and recognition of TRIPS flexibilities. Propose recommendations for enhancing the capacity of developing countries to effectively use TRIPS flexibilities to meet their developmental and public interest goals.