



0261

II Semester LL.M. Examination, December 2013
LAW OF PATENTS IN INDIA (IPR Branch)
(Specialization Paper – II)

Duration : 3 Hours

Max. Marks : 80

- Instructions:** 1. Answer **all 5** questions.
2. Answer **one** essay type and **one** short note question from **each** Unit.
3. Figures to the **right** indicate **marks**.

Q. No. 1. (a) Examine the importance of inventions for technological, socio-economic growth of the country in particular and world in general. Marks : 10

OR

Trace the history of the development of the Patent law in India.

(b) Distinguish between Patented Inventions and Know How. Marks : 6

OR

What do you mean by utility (industrial application) of an invention ? Illustrate.

Q. No. 2. (a) Enumerate the basic principles underlying the patent law in India. Add a note on the patenting systems in UK and USA. Marks : 10

OR

Recognize the requisites of an invention or a process for which a patent can be granted ? Refer to cases.

(b) Distinguish between 'Invention and Discovery'. Marks : 6

OR

How are novelty, inventive step and utility of an invention determined ?

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Q. No. 3. (a) Define the term 'Patent Specification'. Explain with reference to its kinds, contents and importance. Marks : 10

OR

What are the requirements to be fulfilled by the applicant to claim provisional and complete specification under Patent Act ? Explain.

(b) Write a note on 'Effect of non filing of complete specification'. Marks : 6

OR

Write a note on 'Register of Patents'.

Q. No. 4. (a) What is meant by 'Compulsory License' ? Enumerate the powers of the controller under the Patent Act for granting Compulsory license Marks : 10

OR

What are the circumstances under which the Central Government can acquire inventions and patents under the Act ?

(b) Name the grounds for revocation of a patent. Marks : 6

OR

What are the defenses available for a defendant in a suit for infringement ?

Q. No. 5. (a) Examine the role played by the international institutions in implementation and hominization of patent legal system. Marks : 10

OR

Compare the advantages of filing international application for patent under the Traditional Patent System and PCT system.

(b) Write an explanatory note on 'Patent Cooperation Treaty (PCT). Marks : 6

OR

State the objectives of the 'WIPO Substantive Patent Law Treaty (SPLT)'.
