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Fourth Semester LL.M. Examination, June/July 2012
Course – III : LAW OF INTELLECTUAL PROPERTY RIGHTS, HUMAN
RIGHTS AND ENVIRONMENT (IPR Branch)
Specialisation Paper – IX

Duration : 3 Hours

Max. Marks : 80

- Instructions:** 1. Answer all 5 Questions.
2. Figures to the **right** indicate **marks**.
3. Answers should be written **only** in **English**.

Q. No. 1. (a) Examine the movement for environmental protection laws in India. Does the legislative history depict a balance between environment and development ?

Marks : 10

OR

Explain the concept of international trade. What are the international legal instruments available at present to regulate international trade ?

(b) Write short note on international ban on Endosulfan and its impact on human health.

Marks : 6

OR

The arguments for and against including IPR in international Trade Regime.

Q. No. 2. (a) "The Indian legal system has internalised the essence of all human rights contained in the UDHR and the 1966 covenants by incorporating them in the constitution". Explain the statement with specific reference to the civil and political rights in the international covenant on Civil and Political Rights which are explicitly included in the Indian Constitution.

Marks : 10

OR

Examine the efficacy of Environmental (Protection) Act, 1986 in maintaining a pollution free healthy environment.

P.T.O.



- (b) Define 'Biodiversity'. Compare the Indian Bio-diversity Act, 2002 with that of the Convention on Biological Diversity (CBD). Marks : 6

OR

Increasing problem of the disposal of toxic and hazardous wastes and the practice of dumping in the third world and the response of legal regime.

- Q. No. 3. (a) Compare Patent Act, 1970 and the Protection of Plant Varieties and Farmer Rights Act, 2001. Marks : 10

OR

Compare and contrast the protection of Plant Varieties and Farmer's Right Act, 2001 and Biological Diversity Act, 2002.

- (b) Write short notes on :

Role of NGO's in the protection and promotion of Human Rights. Marks : 6

OR

The use of nuclear technology and its devastating consequences on Human Rights.

- Q. No. 4. (a) Explain the conflict between I.P.R. and Human Rights. Marks : 10

OR

Both IPR and Human Rights Co-exist and converge. Comment.

- (b) Trade marks and Human Rights. Marks : 6

OR

Patents and right to food.

- Q. No. 5. (a) Explain the salient features of international legal instruments governing human rights and IPR. Marks : 10

OR

A policy of international trade will inevitably involve some conflict with international environmental agreements or environmental protection requirement in national law which have the effect of restricting trade in certain commodities. Elucidate.

- (b) Write short notes on :

Role of WTO as a principal forum for negotiations on multilateral trading relations among member states. Marks : 6

OR

Powers and functions of WIPO.
