

Seat No. : \_\_\_\_\_

**AT-133**

**May-2016**

**LL.M., Sem.-I**

**405 E : IPR : Trademarks Law and Geographical Indications**

**Time : 3 Hours]**

**[Max. Marks : 100**

**Instruction :** Answer all questions.

1. Critically discuss the need and importance of ‘Trademarks’ as an intellectual property rights. **20**

**OR**

“Protection of ‘well known trademarks’ requires various parameters and evidence”. Critically discuss the statement with support of decided cases.

2. Briefly outline trademark application filing procedure and prosecution in India. **20**

**OR**

“Registration of Trademarks is not absolute right but subject to fulfillment of certain conditions.” Explain the statement with special reference to grounds of refusal provided under the Trademarks Act, 1999.

3. “The Trademarks Act has not defined the term ‘infringement’ but explains the circumstances and condition under which trademark is infringed.” Critically discuss the statement. **20**

**OR**

“Like any intellectual property, trademarks can be assigned and licensed.” Discuss the statement with special reference to the provisions of the Trademarks Act, 1999.

4. Is there any difference between ‘infringement’ and ‘passing off’ ? Explain. Discuss what are the remedies available for the same under the Trademarks Act, 1999. **20**

**OR**

Discuss in detail the offences and penalties under the Trademarks Act, 1999.

5. Briefly outline the various international instruments regulating ‘Geographical Indications of Goods’ and their relevance under the TRIPS regime. **20**

**OR**

“The Act regulating ‘geographical indications’ in India is a TRIPS compliance.” Discuss the statement with special reference to the IPR aspect of GIs of Goods.

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**AT-133**

May-2016

**LL.M., Sem.-I**

**405 E : CRI – Privileged Class Deviance**

**(Criminal Laws)**

**Time : 3 Hours]**

**[Max. Marks : 100**

**Instructions :** (1) All questions carry equal marks.

(2) Cite authorities in support of your answer book.

1. Explain in detail the approaches to combat Social – Economic offences from the society with case laws. **20**

**OR**

Explain in detail the notions of privileged class deviance as providing a wider categorization of understanding Indian development.

2. Explain in detail the deviance by the legislations, judges and bureaucrats with case laws and methods of taking off. **20**

**OR**

Explain in detail the deviance by the Journalists, Doctors, Lawyers and the Publishers with case laws and methods of taking off.

3. Explain in detail the deviance on electoral process that is “Ragging”, “Booth capturing”, “Impersonation” and the “Corrupt practices” and methods of taking off with cases. **20**

**OR**

Explain in detail the unconstitutionality of “Fake encounters” and “Third-degree” methods used by the police with case laws.

4. Explain with decided cases offences of “Rape” and related forms of gender based aggression by the police and para-military forces and methods of taking off. **20**

**OR**

Explain in detail the concept of police atrocities and plea of superior orders.

5. Explain in detail : (any **two**) **20**

- (1) Provisions of the prevention of Corruption Act for combating the privileged class deviance.
  - (2) Case of Antulay.
  - (3) Rights and Powers of Lokpal and Lokayukta.
  - (4) Rights and Powers of Vigilance Commission.
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# AT-133

May-2016

LL.M., Sem.-I

## 405 E BL : Legal Regulation of Economic Enterprises

(Business Law)

Time : 3 Hours]

[Max. Marks : 100

**Instruction :** Each question carries equal marks.

1. Explain in detail the investigating powers of the Central Government to be made into Scheduled Industries under the Industrial (Development and Regulation) Act, 1951.

**OR**

Discuss the powers of the Central Government to assume management/control and to take over the industrial undertaking under the Industries (Development and Regulation) Act, 1951.

2. Discuss in detail about the Constitutional Perspectives relating to regulation and control over Industrial Undertakings.

**OR**

What do you mean by Unfair Trade Practice ? Discuss the provisions of the Competition Act, 2000 to prevent Unfair Trade Practice.

3. Write note on – Industrial Policy and its achievements.

**OR**

When an undertaking be declared as Sick Undertaking ? Discuss about the measures undertaken to revive and rehabilitate the Sick Undertakings under the Sick Industrial Companies (Special Provisions) Act, 1985.

4. Discuss the position of Small Scale and Co-operative sectors in the light of the trend of liberalization in India.

**OR**

Discuss the impact of liberalization upon the licensing policy of India.

5. Explain any **two** from the following :

- (1) Consumerism and its importance.
- (2) Constitution, powers and functions of the Central Advisory Council.
- (3) Appellate authority for Industrial and Financial Reconstruction.
- (4) Board of Industrial and Financial Reconstruction (BIFR)