

Integ. LLB Semester-8 Examination
IL407 (Hons)
Law Relating to Patents
March-2023

[Max. Marks : 70]

Time : 2-30 Hours]

Q-1 Discuss in detail the historical development of Patent system from Indian perspective. [18]

OR

Q-1 (a) Discuss in detail the provisions of Patentable Subject Matters in India [10]
(b) Write a note on Provisional and Complete Specifications [08]

Q-2 'The purpose behind filing of a patent application is to acquire an Exclusive Right to use the innovation.' – Justify the statement in light of Patent Registration Process. [18]

OR

Q-2 (a) Discuss in detail the Compulsory Licensing. [08]
(b) Write a note on Grounds of Revocation of Patent. [10]

Q-3 What amounts to an infringement of a patent? Discuss in detail the remedies for infringing a patent. [18]

OR

Q-3 (a) Briefly discuss pre-grant and post-grant opposition of Patent in India. [08]
(b) Discuss various types of Commercialization of Patent with relevant case laws [10]

Q.4 [A] Write a note on (Any 2) [10]

- i. Revocation of Jamun Patent –Avesthagen Limited
- ii. Patent and TRIPs Agreement
- iii. Basmati Rice Patent Case
- iv. Patentability Criteria in India

[B] MCQs

[06]

- (1). Patent is granted by the Controller to the inventor for a period of _____.
- | | |
|-------------|-------------|
| a) 20 years | b) 10 Years |
| c) 60 Years | d) 30 Years |
- (2). The definition of Patent is provided under _____ of the Patents Act, 1970.
- | | |
|---------------------|-----------------|
| a) Section 2(1)(zb) | b) Section 2(j) |
| c) Section 2(m) | d) Section 2(n) |
- (3) Who amongst the following persons may file a petition for revoking a Patent?
- Any interested party
 - The Central Government
 - Person who is making a counter-claim for the infringement of a patent in a suit
 - All of the above
- (4). A compulsory license for patents has been explained under _____.
- | | |
|---------------|---------------|
| a) Section 82 | b) Section 84 |
| c) Section 86 | d) Section 88 |
- (5). Under which amongst the following circumstances the Central Government may issue notification for Compulsory Licensing?
- | | |
|------------------------------|---------------------|
| a) National Emergency | b) Extreme Urgency |
| c) Public non-commercial use | d) All of the above |
- (6). The period of limitation for instituting a suit for infringement is _____ from the date of infringement.
- One Year
 - Three years
 - Five Years
 - Infinite