

Int. LLB Sem.-8 Examination

IL 407

Hons - Law Relating to Patents

March-2025

Time : 2-30 Hours]

[Max. Marks : 70

- Q-1 Discuss the Historical Development of Patent law both at the international and national levels. [18]
- OR
- Q-1 Discuss the following in detail [10]
 (a) Commercialization of Inventions
 (b) *Novartis AG v. Union of India & Others* case [08]
- Q-2 Explain the steps involved in the patent examination process. How do patent examiner assess the patentability of an invention, and what key criteria do they apply during the evaluation? [18]
- OR
- Q-2 Explain the following in detail [10]
 (a) Revocation of Patent.
 (b) Patentable subject matter [08]
- Q-3 Analyze the relationship between the Patents Act in India and the obligations imposed by The TRIPS Agreement. How has TRIPS influenced Indian patent law, and what are the key provisions that reflect compliance with TRIPS requirements [18]
- OR
- Q-3 Discuss the following in detail [10]
 (a) Provisional and Complete Patent Specification in India.
 (b) Defences to Patent Infringement [08]
- Q-4 (A) Short notes (Write any Two) [10]
 1. Patentability criteria.
 2. Direct & Contributory Infringement.
 3. Remedies for infringement
 4. Principal & Dependant Claims
- Q-4 (B) Multiple choice questions (Attempt all) [06]
 1 What is evergreening of Patent.
 2 The TRIPS Agreement mandates that patents should be granted for at least 20 years (TRUE / FALSE).
 3 What does Sealing of a patent indicates?
 4 A third party may file an opposition to a patent application if they believe it does not meet the patentability criteria. (TRUE / FALSE).
 5 Compulsory licensing allows a third party to use a patented invention:
 a) Without the patent holder's permission
 b) Only with the patent holder's permission

- c) Only in cases of infringement
 - d) Only after the patent expires
- 6 An omnibus claim refers to the entire invention without specifying individual aspects of the invention (TRUE / FALSE).

Q-1 Explain the following in detail:
 (a) Patentability of Invention
 (b) Patentable subject matter

Q-2 Explain the relationship between the Patent Act in India and the obligations imposed by the TRIPS Agreement. How has TRIPS influenced Indian patent law, and what are the provisions that reflect compliance with TRIPS requirements?

Q-3 Discuss the following in detail:
 (a) Prior art and Computer Patent Specification in India
 (b) Distinctive or Patent Independent

Q-4 (A) Explain (With any Two):
 1. Patentability criteria
 2. Prior Art & Computer Invention
 3. Examination for Patentability
 4. Principles of Invention Criteria

Q-5 (a) Multiple choice questions (4 marks all)
 1. What is a representative of prior art?
 2. The TRIPS Agreement stipulates that patents should be granted for at least 20 years (TRUE / FALSE).
 3. When does a patent expire?
 4. A third party may file an opposition to a patent application if that party is a person who has a substantial interest in the patent.
 5. Copyright always allows a third party to use a patented invention.
 a) In India, the patent holder's position is...
 b) Copyright is the patent holder's position...