

**UNIVERSITY OF PETROLEUM & ENERGY STUDIES**  
**End term Examination – Dec 2017**

**Program/course:** B. TECH (ET), LL.B. (Hons.) IPR 2012  
**Subject:** Law of Industrial & ICL Designing  
**Code :** LLBL 651

**Semester – XI**  
**Max. Marks : 100**  
**Duration : 3 hrs**

**No. of page/s: Three**

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**Section A – Objective Type /Short Questions – 10 Marks,**

1. Moores law predicts the exponential growth :
  - a. Double every year
  - b. Treble every year
  - c. Double every two years
2. The Semi conductors chip act is related to which IP act:
  - a. Patents
  - b. Copyright
  - c. Trade secrets
3. The Semiconductor chip act relates to infringement based on:
  - a. One to one copy
  - b. Substantial similarity
  - c. Similarity
4. Defense under reverse engineering is not based on
  - a. Analysis and study purposes
  - b. To discover new uses to old applications
  - c. Paper and documentation of efforts made in order to show experimentation only
5. The Semiconductor act originality is based on:
  - a. Ideas
  - b. Mask rights
  - c. Material difference over masked rights
6. Reuse of Semiconductors has led to quantum leap in \_\_\_\_\_ and \_\_\_\_\_ in the chip industry
7. Duration of validity of registration is \_\_\_\_\_ years from date of filing or \_\_\_\_\_ exploitation whichever comes earlier.
8. Patents are valid for a period of \_\_\_\_\_ years from the date of \_\_\_\_\_.
9. Copyright under Indian law is for a period of \_\_\_\_\_ years from the date of \_\_\_\_\_
10. Trademarks once registered is forever ( True or False)

**Section B - Conceptual Questions – 20 Marks.**

1. Write on the development of Intellectual property “Reuse for Integrated Circuit design”? Sketch a diagram showing interrelatedness of operations?
2. Who applies, the protection provided and the enforcement under the statute for the any one of the following:
  - a) Patents
  - b) Trademark
  - c) Trade secrets
  - d) Semi-conductors

### **Section C – Analytical Type Question– 20 Marks**

3. Novell in a major battle with its distributor has had a trademark infringement with its software distributor Network Trade Center ( NTC ). The dispute centers around the use of Novell’s mark. Analyze the case in the light of trademark infringement for discontinuation of upgrades on exiting Novell software for future users and NTC’s violations.
4. Discuss the issue of reverse engineering as a defense for chip infringement? What are the different motivations and legitimacy under the law?

### **Section D – Application based problem / Case Study – 50**

5. Amazingly a large scale Integrated Circuits Inc (ALSI) obtains a commercially sold version of a competitors new semi conductor chip, which cost millions of dollars to design. ALSI engages in the process of reverse engineering the chip, peeling away its various layers and developing a cross section photographs and materials analyses. Based on this investigation, ALSI produces a layout diagram of the chip for around INR 2.00 Million- . Using commercially available computer program that designs mask works automatically given a logic level layout diagram, ALSI produces a chip with a mask different from the competitor’s but with identical functionality and circuit design. The total cost to ALSI is about INR 5 Million.
  - a) Has the ALSI violated the SCPA? (20)
  - b) Would you answer be different if the computer program produced masks virtually identical to the competitors? (10)

6. In a major battle between Chinese Xiaomi and Ericsson
- a) Analyze the legal battle over the mobile cell phone on patents infringed and the nature of the Qualcomm enquiry? (10)
  - b) What would be the outcome as between Xiaomi and Qualcomm is any further need for negotiations for a tripartite agreement? (10)

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10. Trademarks once registered is forever ( True or False)

### **Section B - Conceptual Questions – 20 Marks.**

1. Write short notes on a) Who applies, b) the protection provided and c) the enforcement under the statute for any two of the following:
  - a) Patents
  - b) Trademark
  - c) Trade secrets
  - d) Semi-conductors

### **Section C – Analytical Type Question– 20 Marks**

2. In a major patent battle between Chinese Xiaomi and Ericsson
  - a) Analyze the legal battle over the mobile cell phone on patents infringed and the nature of the Qualcomm enquiry? (10)
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