

Roll No.
SAP ID



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, July 2020
Open Book – Through Blackboard Learning Management System

Course: Intellectual Property Law
Programme: B.Tech. LL.B. Cyber Law
Time: 03 hrs.

Semester: X
Course Code: LLBL401
Max. Marks: 100

Instructions:

As this examination is in open-book format, the students are expected to demonstrate a very high degree of Academic Integrity and not copy contents from resources referred. Instructors would look for understanding of the concept by the students and any similarity found from resources online/ offline shall be penalized in terms of deduction of marks and even cancellation of paper in requisite cases. The online examination committee of the School would also look for similarity of two answer scripts and if answer scripts of two or more students are found similar, both the answer scripts shall be treated as copied and lead to cancellation of the paper. In view of the aforesaid points, the students are warned that they should desist from using any unfair means.

All Questions are Compulsory
Answer each question in not more than 500 words

S. No.		Marks	CO
1	Write a short note on basic principles of TRIPs agreement. Illustrate and explain how these principles promote objectives of TRIPs and balanced use of IPRs.	20	CO 4
Ans.			
2	A company, Stride Pharma Ltd has a patent in India for a process to manufacture a drug that cures Covid-19. There is a severe epidemic of Covid-19 in Brazil. Stride Pharma is however unable to supply the required volume of the drug during this crisis. AgilePharma Ltd approaches Stride Pharma for a licence to manufacture the drug to supply drug to Brazil during the crisis period. However, the negotiations for a license fail. What options does AgilePharma now have, if it still wishes to make the drug and supply it to Brazil? Explain citing relevant legal provisions.	20	CO 3
Ans.			
3	Hitz Industries Ltd (Plaintiff) is an Indian music label that exercises copyright over a significant music repository. In 2015 Hitz Industries granted Lynk Music Ltd (a popular online music streaming service) license to access this music repository. At the expiry of the said license both the parties attempted to renegotiate the licensing conditions but failed to do so and hence Lynk took refuge by invoking Section 31D of the Copyright Act. Hitz challenged Lynk's invocation of Section 31D, and prosecuted Lynk for infringement and breach of their exclusive rights of sound recording. Analyse and decide with help of relevant case law.	20	CO 3
Ans.			

4	<i>“Design is not registered in the abstract. They are registered as features which are applied to an article.”</i> In light of this statement define design and explain the subject matter of design under the Designs Act. Briefly describe the process for registration of designs in India.	20	CO 2
Ans.			
5	An invention may satisfy the condition of novelty, inventiveness and usefulness but it may not qualify for a patent. Discuss with help of legal provisions and case law.	20	CO 1
Ans.			

I,, understand that submitting work that isn't my own may result in failure in this paper and I may also be subject to Disciplinary Proceedings as per the Academic Integrity policy of the University.

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