Section 1

Q1. What are the essential documents to be generated by the patentee in managing patent right? **(5Marks) (Word limit 30-50 words)**

Q2. What is the significance of Intellectual Property Management? **(5Marks) (Word limit 30-50 words)**

Q3. What are the rules for the transfer of copyright? **(5Marks) (Word limit 30-50 words)**

Q4. You work for a company with a famous trademark that is very well known. One day you discover that another company has started to use your mark on an unrelated good. You fear this may tarnish the reputation your company has built over the years. Explain in brief as how to protect your IP Right. **(5Marks) (Word limit 30-50 words)**

Q5. What are the IP strategy approaches in developing and protecting the different subject matters of IP rights? **(5Marks) (Word limit 30-50 words)**

Q6. What are the tools for valuation of Intellectual Property Rights? **(5Marks) (Word limit 30-50 words)**

Section 2

Q6. What are the social dimensions of Intellectual Property in civil societies and public policy? (10 Marks) (Word limit 100-150)

Q7. Describe the four main pillars of IP management and their role in implementing IP management. (10 Marks) (Word limit 100-150)

Q8. The commercial relevance of the invention is the most important and the most difficult question, as it will not make any sense to patent an invention if there is no potential for value creation.

In the light of the above statement, explain what is invention disclosure form and its role in evaluating the patentability of the invention and drafting a patent application. (10 Marks) (Word limit 100-150)

OR

Intellectual property rights are legal rights that can be used to prevent others from using your invention. IP owners can control the rights to use the IP by means of licence agreements containing an agreed set of terms and conditions.

In the light of the above-mentioned paragraph, elucidate the conditions must be met for a licence to constitute a legal agreement. (10 Marks) (Word limit 100-150)

Q9. “The less developed the characters, the less they can be copyrighted; that is the penalty an author must bear for marking them too indistinctly”, Describe the management of IP in case of copyright. (10 Marks) (Word limit 100-150)

Q10. Inventor ship and ownership must be carefully evaluated and correctly determined, in the light of the above statement explain the role of IP policies in Universities? (10 Marks) (Word limit 100-150)

Section 3

Q11. The story begins in 2000, at the Wadia Institute of Science in Gujarat, India where a group, under the direction of Professor Subramaniam, was conducting research on treatments for Tuber-clauses using the method of attaching therapeutic drugs to antibodies so that treatment could be targeted to the specific site of the tuber-clauses.

A former colleague, Professor Dushyant, paid a visit to the Institute and, after a chance meeting with one of the researchers, agreed to send her some antibodies he had made which might be useful for the project.

The results were very promising, and Professor Subramaniam along with his group prepared a paper for publication. Meanwhile, Professor Dushyant group drew up a patent application.

The patent was eventually licensed exclusively to a pharmaceutical company for the commercialisation of a tube-clauses treatment.

When Professor Subramaniam discovered that his group's research had resulted in a patent, a dispute ensued. The dispute was not resolved and ended in litigation in the courts of Gujarat, which proved very costly for the companies that owned and licensed the patent.

The objective of Professor Subramaniam research was to develop treatments based on a method for targeting the drug treatment to the specific site of the Tuber-clauses.

Professor Dushyant – a former employee of Wadia Institute working on sabbatical leave at a Bhavnagar biotech company – had made monoclonal antibodies that were specific to certain types of Tuber-clauses cell and agreed to send two such antibodies to the group to test in their experiments.

The group did some preliminary testing and selected one of the antibodies to use in the research project. In chemically linking some known therapeutic drugs to the antibody, the theory was that the antibody would carry the drug straight to the cells, where it would work more efficiently than traditional drug administration therapies.

However, Professor Subramaniam did not consider patenting this invention, as the antibody they had used was the property of Roche Biotechnology Inc., the company where Professor Dushyant

worked. Subramaniam felt it would involve a tedious internal approval process and complex negotiations with Roche.

He was happy, therefore, to simply disseminate the promising findings in a scientific journal. The group prepared a publication and, on his next visit, provided Dushyant with a draft copy, in which he was named for his contribution of the antibodies.

The paper was then published in the *Journal of the National Science Research* in December 2004.

On his return, Professor Dushyant discussed the draft paper with his colleagues and it was decided that the company should submit a patent application.

They began clinical trials and prepared a submission for FDA approval. A patent application was drafted which included claims for the protection of the Roche antibodies in the treatment of Tuber-clauses.

But it also had claims for a mixture of antibodies with therapeutic drugs – precisely the inventive step that Professor Subramaniam group had demonstrated in the experiment showing the synergistic effect of the mixture.

Only Roche inventors were named in the application. Unbeknown to the Wadia Institute, the application was filed in September 2003, shortly before the publication of the Wadia Institute paper in December 2004. Prosecution of the patent was a lengthy process, but it was finally granted in 2012.

In the meantime, in 2014 an exclusive licence was granted to Cipla, who invested 190 million dollars in developing a Tuber-clauses therapy.

Through a series of acquisitions and mergers, the patent changed ownership over a number of years, before finally becoming the property of Ranbaxy in 2019. Cipla continued to be the exclusive licensee.

The drug that was eventually developed was called "Norsitus". It was approved by the FDA for the treatment. The sales of the drug had reached 400 million and more in a year.

Professor Subramaniam was surprised and perturbed to learn that a patent application had been filed which was based mainly on the work carried out by his group. Veera, the technology transfer company that represents the Wadia Institute, was informed. It initiated discussions with Ranbaxy and Cipla to have the Wadia scientists named as inventors and for ownership of the patent to be changed to joint ownership.

However, a resolution was not forthcoming and Veera commenced proceedings against Ranbaxy and Cipla.

What procedural steps might have been introduced to resolve the issue of inventorship and whether person's contribution does not necessarily imply entitlement to inventorship. (20 Marks) (Word limit 300-500)