

LL.M. DEGREE II SEMESTER EXAMINATION, APRIL 2009**SLS 2207/2205 NATURE AND CONTENT OF INTELLECTUAL PROPERTY**

Time : 3 Hours

Maximum Marks : 50

(All questions carry **EQUAL** marks)

(5 x 10 = 50)

I A. Explain the concept of 'originality' under the copyright law. Are 'Databases' protectable under copyright Act? Examine relevant cases in India and in foreign jurisdictions.

OR

B. Examine the 'Right to Reproduction' and 'Right to communication to public' in the Digital/Internet context.

II A. What are the non-patentable subject matters under Patent Act 1970 (as amended up to date) Is Indian Patent Law in conformity with TRIPs Agreement.

OR

B. Critically examine distinction between 'invention' and 'discovery' in the context of Patenting of Biotechnology.

III A. Write note on the following:

- a) Conflict between Copyright Law and Design Protection.
- b) Protectable Designs and Trademarks protectable Under Trademark Act, 1999.

OR

B. Discuss the concept of 'Dilution' in respect of trademarks.

IV A. What are the subject matters afforded protection under Geographical Indications of Goods (Registration and Protection) Act, 1999? How would you differentiate between GIs and Collective Marks.

OR

B. Write note on the following:

- a) Farmers' Right and Breeders' Right.
- b) Layout Designs.

V Write note on any two of the following.

- a) 'Cartoon' as a subject matter of Intellectual Property.
- b) Singapore Treaty on the Law of Trademarks.
- c) 'Importation Right' of patentee.
- d) 'Fair Dealing' under Copyright Act, 1957.