



**Second Semester LL.M. Examination, January 2011**  
**LAW OF PATENTS IN INDIA (Specialisation Paper – II)**  
**(Course – IV)**

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer **all** Questions.  
2. Figures to the **right** indicate marks

Q. No. I. (a) The justification for the patent system is that it provides an incentive for investment in new ideas, without which technological development would be much slower and more difficult. Do you agree to this view ? Substantiate. Marks : 10

OR

Trace out the historical development of patent system in United Kingdom.

(b) Write short note on : Marks : 6  
i) Distinguish between ownership of an invention or a patent and ownership of goods.

OR

ii) Patent as a Monopoly Right.

Q. No. II.(a) Elaborate the vital distinction between and definitions of invention before and after Patent (Amendment) Act 2002 in India. Marks : 10

OR

Examine the salient features of Indian Patent Act 1970.

(b) Write short note on : Marks : 6  
i) Distinctive invention and discovery.

OR

ii) Vendibility test.

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Q. No. III.(a) Define patent specification. Explain the structure of patent specification.

Marks : 10

OR

Elucidate the procedure followed in India for obtaining a Granted Patent.

(b) Write short note on :

Marks : 6

i) Obtaining a Granted Patent in the European Patent-Office.

OR

ii) Register of Patents.

Q. No. IV.(a) Explain the rights and obligations of a patentee.

Marks : 10

OR

Critically evaluate the scope of power to transfer patent rights.

(b) Write short note on :

Marks : 6

i) Government use of inventions.

OR

ii) Threat of Infringement Proceedings.

Q. No. V.(a) The TRIPS agreement contains general provisions and basic principles concerning intellectual property, as well as a catalogue of standards concerning the availability, scope and use of intellectual property rights, which have to be adopted by member states. Examine the statement with particular reference to patents.

Marks : 10

OR

Examine the salient features of Strasbourg Convention 1963.

(b) Write short note on :

Marks : 6

i) Role of WIPO in harmonisation of patent legal system.

OR

ii) Natural treatment provision under Paris Convention 1883.