

Enrollment ID: _____

Navrachana University
School of Liberal Studies and Education, M.Sc. Chemistry
End-Semester Examination, November 2017
Second Year and Semester III
CH 237 Patent Law, Patent Drafting and Filing

Date: 30/11/2017

Time: 15:30 – 17:30 PM

Marks:40

Question I. State whether the following statements are True or False. [5 Marks]

- 1) A patent granted in one country is automatically enforceable in other countries.
- 2) The mere arrangement or re-arrangement or duplication of known devices each functioning independently of one another in a known way does not qualify as patentable invention.
- 3) Mixture of components resulting in synergistic properties of mixture of ingredients may be patentable.
- 4) The initial registration of a trademark shall be for a period of ten years but may be renewed from time to time for an unlimited period by payment of the renewal fees.
- 5) A patent application can be published in the Official Journal of the Patent Office.

Question II. Chose the correct answer from the given options. [5 Marks]

- 1) As a resident of Vadodara you shall submit the Patent Application for your invention at
 - a) Patent Office, Ahmedabad
 - b) Patent Office, Bhopal
 - c) Patent Office, Mumbai
 - d) Patent Office, Rajkot
- 2) Certification mark can be registered in
 - a) Patent Office
 - b) Trademark Registry
 - c) MHRD
 - d) Registrar of Copyrights
- 3) A preliminary search of patent literature
 - a) gives you an idea if similar invention has already been published
 - b) is accepted by the Intellectual Property Office as proof that your invention is new
 - c) ensures that your patent application will be accepted
 - d) gives infringement clearance
- 4) If you want to know what is actually covered by a granted patent, you will look at
 - a) the title
 - b) the abstract
 - c) the title and the abstract
 - d) the claims
- 5) Alembic Pharmaceuticals Limited has registered a composition in India. Alembic has filed a patent for the same product in India, but the registered recipe is not covered in the claims of the patent. Can we say that Alembic Pharmaceutical Limited has patented that product in the market?
 - a) Yes
 - b) No
 - c) Yes if the patent filing is done in the country of registration (India).

Question III. Justify the following in brief. (Any two)

[4 Marks]

- 1) *Flavedon* and *Trivedon* were accepted as trademarks by the court.
- 2) An application for a trademark can be disallowed on the basis of similarity in idea.
- 3) In *Bio Chem Pharmaceutical Industries vs Bio Chem Synergy Ltd.*, court held that *Bio Chem Synergy* desist the use of word *Bio Chem*.

Question IV. Answer the following in detail (Any three)

[18 Marks]

1. State in brief the evolution of Intellectual Property Rights (I.P.R.) in International Context. Discuss British and French System of I.P.R in detail.
2. What is a Patent? State at least six different types of inventions which are not patentable in India?
3. What are the subject matters that are covered under Copyright?

Write Short notes on: i) Right of Reproduction & Related Rights ii) Broadcasting Rights

iii) Motion Picture Rights

4. How are Geographical Indications different from Trademarks? Discuss the criteria that are required to register a geographical indication. Cite at least 5 examples of Geographical Indications registered in India.

Question V. Answer the following. (Any two)

[8 Marks]

- 1) What is the term of a copyright?. State and explain Types of Civil and Administrative Remedies in case of a copyright infringement.
- 2) Write short notes on:
 - i) Concurrent Registration of a Trademark.
 - ii) Registration of Trademark and its benefits.
- 3) State and explain:
 - a) Differences between Complete Specification and Provisional Specification.
 - b) Compulsory Licensing of a Patent

*****End of Question Paper*****