


Name: Enrolment No:			
UPES End Semester Examination, May 2023			
Course: Patent Claim Drafting and Procedure Program: BA/ BBA / B Com /B.Sc. LLB (Hons.). Course Code: CLBS 4006		Semester: VIII Time : 03 hrs. Max. Marks: 100	
Instructions: All Questions are compulsory			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	A product may be sold in the market without destroying its novelty a. Only after applying for a patent b. Only after the grant of a patent c. Only after publication of the patent application in the official journal. d. Only if the process for its preparation is kept secret e. None of the above.	2	CO1
Q 2.	A patent is a _____. a. Transferable property b. Negotiable property c. Real property d. Non-transferable property e. None of the above	2	CO1
Q 3	An international application can be filed in : a. In any patent office in India b. Only in English c. In triplicate d. To be filed in the head office e. None of the above	2	CO1
Q 4	A provisional specification must contain: a. Description of an invention b. Claim or claims defining the scope of an invention c. Abstract of the technical information d. Background and prior art e. All of the above	2	CO1
Q 5	Prior Art does not include: a. The Knowledge disclosed in publications b. The knowledge disclosed only orally	2	CO1

	c. The knowledge disclosed only to members of one's family d. The Knowledge disclosed only in patents e. The knowledge available in the public domain		
SECTION B (4Qx5M= 20 Marks)			
Q 6	What are the conditions subject to which a patent is granted in India?	5	CO2
Q 7	Write a short note on specifications.	5	CO2
Q 8	“State the purpose of Form 5 of the Patent Act, 1970.	5	CO2
Q 9	Describe the key points of Rule 13 of the Patent (Amendment)Rules.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	Critically examine the observations made by the Court in Oxford University Press v. Rameshwari Photocopy Service to understand the meaning of ‘Fair dealing’ and ‘in course of instruction’.	10	CO3
Q 11	<i>Distinctive marks inarguably contain the best chances of success. However, if proprietors are not careful with its usage and promotion, such marks run the risk of becoming generic.</i> Considering the statement, elucidate the concept of spectrum of distinctiveness with relevant examples.	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q12	<p>After reading the specification stated below:</p> <p style="padding-left: 40px;">(i) Draft 10 Claims (ii) Abstract (Not more than 150 words)</p> <p>Field of the Invention</p> <p>The present invention is a device meant for dogs which are attached to a bicycle, tricycle or similar moving vehicle enabling the user to operate the vehicle and exercise the dog safely and efficiently.</p> <p>Background of the Invention</p> <p>Many people exercise their dogs by taking them for a walk. However, it is known that walking a dog does not provide the dog with sufficient exercise unless the dog is walked for extensive periods of time. However, most people do not take a dog for a long walk because it is too exhausting or too boring. The alternative is to exercise the dog while riding a bicycle.</p>	25	CO4

This is done by pedalling in a customary manner while holding the dog's leash in one hand or attaching the leash to the handlebars or other portions of the bicycle frame. While this manner of exercise provides the dog with an excellent workout, it does, however, subject both the dog and rider to possible serious injury. For example, the rider and/or dog may be injured if the dog should accidentally suddenly pulls away from the bicycle or bump into the wheels or pedals. It is obvious that even a minor tug by the dog can cause the rider to lose control of the bicycle.

The dog may also be injured if either the dog or the bicycle comes to an abrupt halt. This can cause the leash to strangle the dog and topple the bicycle. In addition, if the leash should become entangled in the pedals, the dog may be strangled as well. It is thus apparent that despite the benefits of exercising a dog while riding a bicycle, the dangers of this form of exercise far outweigh the benefits. It is, therefore an object of the invention to provide a device for exercising a dog while riding a bicycle in which the dog cannot interfere with the rider. It is another object of the invention to provide a device which is resilient and provides controlled resistance to the movement of the dog.

Detailed Description of the Invention

The device, according to the present invention, includes a bracket adapted to be attached to the frame of the bicycle away from the pedals and preferably as close to the ground as possible. Extending outward and essentially perpendicular from the frame is a first bar. The length of the first bar determines the distance between the dog and the frame of the bicycle when the exercising device is attached to the dog through a leash. The bar is attached to the bar through resilient means such as a spring and a fastening device. The fastening device is secured to the first bar through a bolt or other suitable device and includes a block having grooves on the exterior surface for securely retaining therein individual turns of the spring. A similar block is mounted to the second bar for securing the spring thereto. The bar is provided with an adjustment mechanism which is adapted to regulate the incline of the bar to thereby adjust the distance of the dog from the bicycle. There is also provided a second adjustment mechanism which also serves to adjust the incline of the bar. In accordance with the invention the length of the bars may be adjusted to accommodate the size of the frame of the bicycle and the resiliency or strength of the spring can be adjusted to accommodate the size of the dog to be exercised. Thus, in a preferred embodiment, the

spring may be easily removed and replaced according to the needs of the user. The fastening device of the invention as previously described may be constructed so as to permit the spring to come out of the grooves when the spring is subjected to an excessive load.

The adjustment mechanisms and may be replaced by a single, adjustable joint (e.g. a ball joint) to achieve the same functions as the individual adjustment mechanisms. The single adjustment joint may be affixed to the bar. The bar is rigid and has a U-shape. The resilient means and the bar may be formed integral with each other. The bar may be provided at one end with a loop. An attachment device is secured to the loop of the bar and includes a first hook for removably attaching to the loop and a second hook which is adapted to removably attach to the collar of the dog. The hooks and are preferably affixed to an elastic member such as a rubber band or similar member. The hooks are adapted to instantaneously disengage from the loop and the collar of the dog, respectively when subjected to a heavy load if the dog or bicycle should hit a stationary object such as a tree wherein the dog will be easily disengaged from the device to thereby prevent injury. The bar may be provided with a bore or hole at an end remote from the resilient means for the purpose of securing a bracket to the frame of the bicycle. The hole is adapted to receive the end of a securing means. The securing means is also placed through a corresponding hole in a fastening bolt which is sized to fit with the end of the bar. The bracket is provided with bolt holes which receive fastening bolts or screws. The respective opposed portions of the bracket are adapted to be secured about the generally cylindrical frame of the bicycle. The bracket may also be provided with a protective lining on the inner surface of the portions to protect the frame of the bicycle. A preferred fastening arrangement for the bar comprises a support prop which may be fastened in one end of the fastening bolt, which may have an oblong shape and has in a rearward end a W-shaped fastening bracket for securing the device to the back wheel supports of the bicycle. Such a device is suited to prevent the bar from twisting about the frame when subjected to a heavy load. It employs a safety device such as a split ring capable of instantaneously disengaging the dog from the apparatus. Such a device may be placed between the loop and the carbine hook and/or the carbine hook and the leash of the dog. The split is positioned between the loop and the hook, and the split ring is positioned between the hook and the leash. Either or both split rings may be used. The safety device is adapted to free the dog instantly under a load which

	would otherwise injure the dog, such as if the leash becomes stuck or entangled in a stationary object such as a tree.		
Q 13	<p>Rahman Roshan, a student of one of the IITs, came up with an invention which is a cylindrical slide which can be installed on the balcony of high-rise apartments. In case of any emergency of fire or earthquake, the inmates roll the cylindrical slide to the ground floor and can slide to safety. He shared his views with his brother in a private conversation, who is an editor of the journal 'Safe Houses in February 2022. He conducted a trial of his invention from the ninth floor of his hostel to assess its effectiveness in March 2022. He wanted to know the feedback on this invention and exhibited the same in an exhibition, 'New Millennium Designs', at Raffles Centre in Singapore on 2nd July 2022. In the meanwhile, he learnt that his brother published the details he shared in the "Safe Houses" journal issue dated August 2022. In September 2022, he filed a provisional application in the Indian Patent Office and complete the specification in January 2024.</p> <p>Rahman Roshan approaches you with the above facts and seeks your consultation on whether any of these events will impact the granting of the patent. Give your written statement with the relevant sections of the Patent Act to this client and explain the position of the issues stated that will have an impact on granting of the patent.</p>	25	CO4