


Name:			
Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, April-May 2024			
Course: Law of Industrial Designs and ICL Semester: II Program: LL.M. Time : 03 hrs. Course Code: CLIR7003			
			Max. Marks: 100
Instructions: Attempt all questions.			
SECTION A (5Qx2M=10Marks)			
S. No.	Answer the following questions by choosing True or False	Marks	CO
Q 1	The obligation to protect semiconductor IC's layout-design does not flow from the TRIPS Agreement.	02	CO1
Q2	The duration of a design copyright is 15 years.	02	CO1
Q3	If a layout-design has been exploited commercially for a year before the application for its registration is filed, the layout-design cannot be registered.	02	CO1
Q4	It is possible to re-register a design in respect of which Copyright has expired.	02	CO1
Q5	The registration of a design may be cancelled at any time after the registration of design on a petition for cancellation.	02	CO1
SECTION B (4Qx5M= 20 Marks) Maximum word limit- 400			
Q6	What is the effect of registration of layout design in India? Explain with relevant provisions.	05	CO2
Q7	How long does the protection of an industrial design last in India? Can the registration be renewed? What is the scope of protection for registered industrial designs in India?	05	CO2

Q8	What is the term of protection for a layout-design under the Semiconductor Integrated Circuit Layout-Design Act? How can the term of protection be extended?	05	CO3
Q9	Explain the process for registration of a layout design along with the requirements of registrations as per the relevant provisions under the Semiconductor Integrated Circuit Layout Design Act 2000.	05	CO3
SECTION-C (2Qx10M=20 Marks) Maximum word limit- 500-600			
Q10	Suppose you develop a new product design, and you want to protect it. What are the factors you will consider while deciding whether to go for design protection or copyright protection for the same.	10	CO3
Q11	A designer has created a design for a new piece of furniture. The designer wants to license the design to a furniture manufacturer for production and sale. What legal considerations should the designer keep in mind when negotiating the license agreement? What rights does the designer have in relation to the licensed design?	10	CO3
SECTION-D (2Qx25M=50 Marks) Maximum word limit- 750			
Q12	<p>Raghav has filed for a suit for infringement of its registered TM ad for passing off in relation to the word mark as well as shape mark “Montu Blanc” which is a range of pens. He asserts that he has been manufacturing this high quality range of pens since the last 100 years and has gained extensive reputation for the same. He alleges that Mahesh has infringed its rights in respect of the registered TM by applying the design of the pens to his own line of writing instruments under the trademark “Chotu blank” which has been registered under the Designs Act.</p> <p>Decide, providing relevant arguments from both sides, provisions and case laws, whether this infringement of TM or design or both will hold good and the fate of the suit.</p>	25	CO4
Q13	Band Bajao Corporation has developed a new layout design for a semiconductor integrated circuit. The design is innovative and unique, and Band Bajao Corporation wants to protect its design under the Semiconductor Integrated Circuits Layout-Design Act, 2000. However, they are concerned about the potential for infringement by competitors.	25	CO4

	<p>What steps can BB Corporation take to protect its layout design under the Semiconductor Integrated Circuits Layout-Design Act, 2000?</p> <p>Suppose BB Corporation becomes aware that a competitor has copied its layout design without permission. What legal remedies are available to BB Corporation under the Semiconductor Integrated Circuits Layout-Design Act, 2000?</p> <p>If BB Corporation licenses its layout design to another company for use in India, what rights does the licensee have under the Semiconductor Integrated Circuits Layout-Design Act, 2000? What obligations does the licensee have to BB Corporation?</p>		
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