

NATIONAL LAW UNIVERSITY DELHI

LL.M. (Professional), Semester-II (Regular Students-Batch of 2021)

End Semester Assessment (Online), September-2022

Paper: Introduction to Intellectual Property

Time: 6:00 hrs

Total Marks: 70

Instructions:

1. Question 1- 3 are compulsory. Choose one among Q.4 and Q.5
 2. No clarification shall be sought on the question paper.
 3. Maximum word limit for 20 Mark answer is 2000 words and for a 10 mark answer is 1000 words.
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- Q.1) Examine the legal consistency of Section 3(d) of the Patents Act, 1970 with Article 27 of the TRIPs Agreement. **(20 Marks)**
- Q.2) Explain the Berne Convention Principle of National Treatment and its distinction from the National Treatment Principle in the Paris Convention and the TRIPs Agreement. **(20 Marks)**
- Q.3) Examine the legal consistency of India's exhaustion regime under Patents Act, 1970 in the context of the TRIPs Agreement. **(20 Marks)**
- Q.4) Examine the WTO dispute in *Australia-Plain Packaging of Tobacco* from the perspective of availability of public health exception to trademark regime in the TRIPs Agreement **(10 Marks)**
- Q.5) Examine the differences between the IP waiver proposal made by India and South Africa in October 2022 vis-à-vis the final outcome of the Waiver in May 2022 at the WTO. **(10 Marks)**