

NATIONAL LAW UNIVERSITY DELHI

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

End Semester Assessment (Online), September-2022

Paper: Patents, Plant Variety Protection and Trade Secrets

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)A. Compare and contrast the single bench and the division bench decisions of the Delhi High Court in the dispute involving Monsanto v. Nuziveedu.

B. What are the differences between protections available for inventions in the context of plants under the Patents Act v. the PVPFRA?

(10x2= 20 Marks)

Q.2) Critically examine the issue of granting ad-interim injunctions and setting of ad-interim royalties in the context of standard-essential patent disputes. **(20 Marks)**

Q.3) Examine the utility of India's compulsory licensing regime in the context of COVID-19 drugs, vaccines and diagnostics. What changes would you recommend in the patent law that responds to the challenges posed by COVID-19. **(20 Marks)**

Q.4) Examine the availability remedies against
a) third-party for misappropriation of trade secrets,
b) when public interest is raised as a defense against misappropriation of trade secrets. **(10 Marks)**

Q.5) Compare and contrast India's approach towards test data protection of pharmaceutical and agrochemical molecular entities under the Drugs and Cosmetics Act and the Insecticides Act. **(10 Marks)**