

GUJARAT TECHNOLOGICAL UNIVERSITY
MBA- SEMESTER - IV-EXAMINATION- SUMMER-2023

Subject Code: 4549288

Date: 23/06/2023

Subject Name: Intellectual Property Rights

Time: 10:30 AM TO 01:30 PM

Total Marks: 70

Instructions:

1. Attempt all questions.
2. Make Suitable assumptions wherever necessary.
3. Figures to the right indicate full marks.
4. Use of simple calculators and non-programmable scientific calculators are permitted.

Q. No.	Question Text and Description	Marks
Q.1	Definitions / terms / explanations / short questions based on concepts of theory/practical (a) GATT (b) WTO (c) Patent Agent (d) Copyright (e) Intellectual Property Audit (f) Patentee (g) Trade Secret	14
Q.2	(a) Discuss the process involved in Maintaining Trade Secret.	07
	(b) List out the subject matter protected by intellectual property rights under the World Intellectual Property Organization (WIPO).	07
OR		
	(b) What are the new developments in Trade mark Law? Explain.	07
Q.3	(a) Who may apply for a trade mark? Briefly explain the provisions relating to registration process of a trade mark.	07
	(b) When should an Intellectual Property Audit be conducted? Discuss.	07
OR		
Q.3	(a) An invention may satisfy the condition of novelty, inventiveness and usefulness but it may not qualify for a patent. Discuss.	07
	(b) There is no copyright in an idea. Explain.	07
Q.4	(a) Explain the procedure to be followed for registration of geographical indication.	07
	(b) What remedies are available to the owner of the mark in the case of infringement of his trade mark?	07
OR		
Q.4	(a) Discuss the role and function of WTO in establishing the IPR practices by World Countries with real examples	07

- (b) Explain the actual and relative grounds for refusal for registration of trade mark. **07**

Q.5

CASE STUDY:

Ramesh was a part time student in the MBA programme at the University of Gujarat. He also worked fulltime with a tech firm where he oversaw the work of 60 employees.

In the winter of 2021 he took a course from Professor Dinesh. 60% of the mark was based on the term paper. Ramesh came up with an idea for the paper. To apply statistical analysis to the data, which he had available through his employment, to determine the variability to the production time to the custom manufacturing of integrated circuits with a view to reduce the time ranges.

One year later Ramesh found that

- 1) The University has copied his paper with very little changes, did not give him credit as the author and sold the paper as a case note to MBA students.
- 2) Professor Dinesh has presented the paper at a conference in Germany and again did not give credit to Ramesh.

- (a) What is the legal issue? **07**

- (b) What is the applicable rule of law **07**

OR

- Q.5** (a) Develop an argument for Ramesh **07**

- (b) Develop an argument for the defendants and who are they? **07**
