

The invention lacked novelty and was based on traditional knowledge.

The formulation did not involve an inventive step.

The pricing of the patented drug made it inaccessible to the common public

Meanwhile, the Government of India issued a notification to use the patented drug for public health programs without prior consent of the patentee, citing national interest.

Questions :

- (a) **Examine** the grounds on which the patent can be revoked under The Patent Act, 1970.
- (b) **Determine** whether Dr. Aryan's invention qualifies as a patentable invention considering its traditional knowledge roots.
- (c) **Interpret** the rights and obligations of the patentee in such public interest cases.
- (d) **Categorize** the legal procedures related to transfer of patent rights and government use of patented inventions.

MBEP 4003

M.B.A. DEGREE EXAMINATION, MAY 2026.

Fourth Semester

Common Elective

INTELLECTUAL PROPERTY LAWS

(2023 Regulation)

Time : Three hours

Maximum : 75 marks

PART A — (5 × 4 = 20 marks)

Answer any FIVE questions.

1. Explain the different types of Intellectual Property Rights.
2. Explain the key principles of the Paris Convention, such as national treatment, priority rights, and the right of the first applicant.
3. Compare the legal impact of an agreement that does not include terms regarding quality control versus one that does.
4. Describe the key elements that make an invention eligible for a patent.

5. Compare Indian patent principles with international patent frameworks like TRIPS.
6. Categorize different types of works that qualify for copyright protection.
7. Examine the duration of copyright protection for various types of works.
8. Examine the relationship between copyright and design protection.

PART B — (5 × 8 = 40 marks)

Answer any FIVE questions.

9. Explain the enforcement mechanisms provided by TRIPS for the protection of intellectual property rights.
10. What is the Dispute Settlement Mechanism in the WTO, and how does it relate to intellectual property cases?
11. Describe what types of inventions are considered patentable under Indian law.
12. Summarize the step-by-step procedure to file and obtain a patent in India.

13. Compare the term of patents in India with other countries.
14. Determine the essential characteristics that make a work eligible for copyright protection.
15. Examine the process and importance of registering a copyright.
16. Determine the essential criteria for a design to be considered "original" under the Designs Act.

PART C — (1 × 15 = 15 marks)

Answer the following.

17. Case Study (Compulsory)
Background :
Dr. Aryan, a researcher working for a biotech company in India, developed a new drug formulation for treating a rare genetic disorder. He applied for a **patent** under The Patent Act, 1970. The drug demonstrated high efficacy but was based on a modification of an existing traditional herbal formula used in tribal communities.
The Patent Office initially granted the patent, but a public health NGO filed for revocation, arguing that :