

# School of Law

Bachelor of Law  
CAT1 - Mar 2023

Time : 90 Minutes

Marks : 30

## Sem IV - J1UA411T - Laws Relating to Patent

*Your answer should be specific to the question asked*

*Draw neat labeled diagrams wherever necessary*

1. The patent application is examined only after receiving a request for examination that is RFE. Elaborate the statement. K2 CO1 (4)
2. Determine the concept of pre and post grant opposition under the Indian Patents Act 1970. K3 CO2 (5)
- 3) Infer the inventions that are prohibited from registration as laid down under the patent legislation. K3 CO2 (7)

### OR

Sheela filed a patent specification accompanied by a provisional specification on 15 January, 2021 for her invention relating to a carburettor which is novel and has an inventive step. In continuation of the research, she found a new process for manufacture of the carburettor and she filed another patent application accompanied by a provisional specification, three months after the date of filing of the first patent application. She wishes to file one complete specification in which she wishes to incorporate the subject matter disclosed in both the aforementioned applications, i.e. of the carburettor as a product and the process of manufacture. She has approached you for advice and assistance. Explain to her how you will proceed with the preparation of the documentation and ensure that all the formalities are taken care. K3 CO2 (7)

4. Discuss the treaties and conventions governing patent with its objectives. K2 CO1 (7)
- 5) Critically analyze the changes introduced in Indian Patent Act 1970 by The Patent (Amendment) Act 1999, 2002 and 2005. Do you think that these three major amendments were done as a part of the exercise to conform under the TRIPS Agreement of the WTO ? K4 CO3 (7)

### OR

Critically analyze the Constitutional validity of Section 3(d) with reference to the Novartis case. K4 CO3 (7)