

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

Course: **Biotechnology Law**
Semester-VII (Batch: 2013-18)

Mid Semester Test: August-2016

Date: 12th August, 2016

Duration: 2 hours

Max. Marks: 30

Instructions:

- Read the questions properly and write the answers in the given answer book.
- The respective marks for each question are indicated in-line.
- Do not write anything on the question paper.
- Indicate correct question numbers in front of the answers.
- No questions or clarifications can be sought during the exam period, answer as it is, giving reason, if any.

- | | Marks |
|---|--------------|
| Q.1 Analyse any two of the following cases: | (10) |
| (a) Amgen Inc v/s Chugai Pharmaceutical Co. Ltd. | |
| (b) Diamond v/s Chakravarthy | |
| (c) Hybritech v/s Monoclonal Inc. | |
| (d) Re O' Ferrel Case | |
| Q.2 Write short notes on any two : | (10) |
| (a) Three Generations in the Development of Biotechnology | |
| (b) Classification of Biotechnological Inventions | |
| (c) European Patent legislation history – three milestones | |
| Q.3 Check the correctness of the following statements. Correct if incorrect and justify your decision | (10) |
| (a) The US Patent Act 1952 defines Patentable Subject matter as 'any new and useful process, machine, manufacture or composition of matter or any new and useful improvement there of' which included living organisms. | |
| (b) In India, living things like plant, animal and other living organisms are treated as patentable. | |
| (c) In <i>Exparte Latimer</i> a patent claim for fibre found in the needle of <i>Pinus Australis</i> was accepted. The belief was that plants, those artificially bred were not product of nature for purposes of the patent law. | |
| (d) For the first time the US Patent office granted Patent to Louis Pasteur on 'Yeast' that is free from organic germs of disease, and is an example for being in favour of granting patents on living matter or living matter. | |
