

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

Course: Transfer of Technology and IPR Litigation
Semester-II (Batch: 2018-19)

LL.M. End Semester Examination: May-2019

Date: 4th May, 2019

Duration: 3 hours

Max. Marks: 70

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 |
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| Q.1 With the help of decided cases, make a comparative study of the regulatory and judicial approach to the legality of 'Reverse Payment'. | (12) |
| Q.2 "There is an ongoing debate about the Intellectual Property Rights policies of major SSOs and how licensing disputes related to SEPs, subject to FRAND should be resolved".
In view of the above-stated statement, connect the legal and the economic issues and also discuss the evolving jurisprudence. | (10) |
| Q.3 Explain in brief the 'Restrictive Practices' and the debate as in the Code of Transfer of Technology. | (10) |
| Q.4 'The Convention on Biodiversity recognises that both access to and Transfer of Technology are essential elements for the attainment of its objectives'. Elucidate. | (10) |
| Q.5 'Articles 69, 67, and 66 create the basis for International regime between its members.'
Explain the scope and application of these provisions. | (10) |
| Q.6 Write short notes on any two of the following:
(a) Hold-up: A two way street
(b) Confidentiality Agreement and exceptions to confidentiality obligations
(c) Guarantees – under the draft code
(d) Doha Mandate on Article 66.2 TRIPS | (10) |
| Q.7 "Intellectual Property can be valued with careful estimation of the present value of cash inflows flowing from the possible uses of the property in the future economic useful life." In the backdrop of the statement and using probability based valuation methods, determine the value of a hypothetical IP asset developed by you. | (08) |
