

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

Course: Transfer of Technology and IPR Litigation
Semester-II (Batch: 2017-18)

LL.M. End Term Examination: April-May 2018

Date: 02nd May, 2018

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 any thing 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 | What is 'Springboard injunction'? Explain, the type of cases, the remedies available and the scope and duration of Springboard relief. Substantiate your answer by referring to Indian cases. | (10) |
| Q.2 | 'In the pharmaceutical industry, originator companies researching and developing new medicines will typically obtain a range of patents to protect these medicines against generic competition. On the other side, generic suppliers seeking to enter the market will often challenge the validity of patents or may simply launch their products, forcing the organisers to bring litigation to enforce their patents and prevent the generics entry.' Discuss and debate the said development. | (10) |
| Q.3 | 'Several developing countries have voiced their concerns in relation to the access to technology, which they feel is growingly difficult to obtain from commercial sources' Explain the proposal presented by India in this context. | (10) |
| Q.4 | Assess the effects of Intellectual property rights on transfer of technology, particularly biotechnology. | (10) |
| Q.5 | Give an overview of the UNCTAD's Draft Code on Transfer of Technology. | (10) |
| Q.6 | Write Short Notes on any two: a) Option Agreements b) Royalties c) Confidentiality Agreement | (2x6 =12) |
| Q.7 | 'The cost of any Intellectual Property asset is not less than the sum total of costs associated with developing the asset and its value is not more than the sum total of present values of expected future incomes.' In light of the above statement, discuss the various methods of cost determination and valuation for IP assets. | (08) |
