

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

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

End Semester Examination: October-2016

Date: 28th October, 2016

Duration: 3 hours

Max. Marks: 50

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.

	Answer any five questions	Marks
Q.1	Expand the following abbreviations and mention the highlights of the same: (any two) (a) UDHGHR (b) GEAC (c) RCGM	(2x5= 10)
Q.2	Write short notes on the following: (any two) (a) Risk Analysis of GMOs. (b) Budapest Treaty and State Practices (c) Cartagena Protocol on Biosafety.	(2x5= 10)
Q.3	State of 'Astra' has a long coast line. Fishing, along with agriculture, are the major occupations of the people of Astra. It has a unique species of fish and sea turtle, which needs preservation and conservation. It has passed a legislation 'Endangered Species (Protection and Conservation) Act' for protecting this fish and sea turtles. It has created specific fishing trawlers for the same. Later the foreign secretary of the State initiated negotiations with all foreign governments for developing bilateral or multilateral agreements to protect and preserve the said species of fish and sea turtles. Finally after some time the State imposed an import ban on the fishes harvested by other states with commercial fishing technology that adversely effected the fish and sea turtle. Also concurrently the State imposed an import ban of five agricultural products that could be the potential hosts of codling moth; a pest of quarantine significance. With the help of decided Case Laws answer the following questions: (a) Are these bans justified? (b) Explain the legal framework applicable in the said issues.	(10)
Q.4	Explain in brief the statutory requirements for patenting of Biological Inventions in India.	(10)

- Q.5 Check the correctness of the following statements. Justify your answer. (4x2.5 =10)
- (a) The current Indian norms and web agencies that deal with biotechnology follow an exhaustively defined plan.
 - (b) In the United States of America, the law requires information on food products to be clear and unambiguous. Labels are intended to provide meaningful information and to warn and instruct the consumer. Hence in the US, the question is how to label the goods.
 - (c) The Cartagena Protocol on Biosafety enjoys a wide and universal membership. It regulates in detail transboundary movement of GMOs.
 - (d) The Indian Patent Act specifically defines 'Novelty', 'Invention', 'Inventive Steps' and 'Industrial Application'. It also states that a few subject matters are not invention, directly stating that such subject matters are not novel or new.
- Q.6 An analysis of the most important International legal instruments regulating bioethics allows identifying a series of basic principles, if correctly and effectively applied they are suitable for minimizing the possible adverse effects of implementation of human- related applications of biotechnology. Explain the basic principles. (10)
