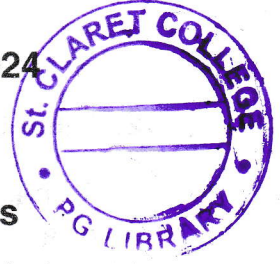




PG – 708

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I Semester M.B.A. (Day and Eve.) Examination, June/July 2024
(CBCS) (2021-22)
MANAGEMENT

Paper – 1.6 : Legal Aspects and Intellectual Property Rights



Time : 3 Hours

Max. Marks : 70

SECTION – A

Answer **any five** of the following questions. **Each** question carries 5 marks.

(5×5=25)

1. Enumerate the significance of the New Labour Codes.
2. How are offences and penalties treated as per the Code on Wages, 2019 ?
3. State the composition of National Board under The Occupational Safety, Health and Working Conditions Code, 2020.
4. When is Gratuity payable as per the Code on Social Security, 2020 ?
5. How is the right of authors protected in the Berne Convention ?
6. What is meant by a Patent Cooperation Treaty ?
7. Summarize the two main areas of the Industrial Property.

SECTION – B

Answer **any three** out of the following questions. **Each** question carries 10 marks.

(10×3=30)

8. Explain the Electronic Governance and Legal Recognition of Electronic Records and Electronic Signatures.
9. What is the procedure followed for registration and recognition of a Trade Union ?
10. Discuss the applications and procedures of WIPO.
11. Examine the situations/conditions for infringement of copyrights.

P.T.O.



SECTION - C

12. Case study (**Compulsory** question).

(1×15=15)

A major pharmaceutical company developed a new drug for the treatment of a chronic disease. This drug was protected by a series of patents granted in various countries, including India. After the drug's launch, a generic drug manufacturer started producing a similar drug, arguing that its formula did not infringe upon the pharmaceutical company's patents. The pharmaceutical company filed a lawsuit against the generic manufacturer, claiming patent infringement and seeking an injunction to stop the production and sale of the generic drug. The generic manufacturer counter-argued that the patents held by the pharmaceutical company were either invalid or too broad and should not be enforceable against its product.

The legal battle centered around the interpretation of the patents and whether the generic manufacturer's drug fell within the scope of the pharmaceutical company's patent claims. The court considered evidence from both parties, including technical expert testimonies on the chemical composition and properties of the drugs. The case raised questions about the balance between protecting intellectual property and ensuring access to affordable medications for patients. Ultimately, the court's decision had significant implications for both the pharmaceutical industry and consumers, potentially setting a precedent for future patent disputes in the industry.

Questions :

- a) How does this case reflect the challenges of balancing patent protection for innovation with ensuring access to affordable medications ?
 - b) What legal strategies might the generic manufacturer employ in similar IPR disputes to defend against claims of patent infringement ?
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