

NATIONAL LAW UNIVERSITY, JODHPUR

End Term Examination August- November, 2025

Semester- IX UG (IPR Hons.)

Subject: Other Forms of Intellectual Property Rights

Time: 3 Hours

Max. Marks: 100

Instructions:

1. *Attempt any five.*
2. *All questions carry equal marks.*
3. *Support your answer with case law wherever necessary.*

Q.1)

Under the Biological Diversity Act, 2000, any person/entity is using the biological resources are required to pay fair and equitable benefit sharing. Explain Access and Benefit sharing. Analyze whether purely Indian entities are also required to comply with such requirements? (Marks: 20)

Q.2)

Astra Home Decor Pvt. Ltd., an Indian company, registered a design under the Design Act, 2000 for a uniquely shaped aromatic diffuser that had a distinctive curved form and embossed floral pattern. A year later, Zen AROMA Ltd. launched a similar diffuser that looked almost identical, except minor color variations and an additional logo.

Astra sued Zen for design infringement under the Design Act, 2000.

Zen argued that:

- a) The design lacked novelty and was common to trade.
- b) Minor variations made its product sufficiently distinct to avoid infringement.

Decide and explain what constitutes "*piracy of a registered design*" and analyze whether Zen Aroma Ltd. can defend itself on the grounds of lack of novelty and minor variation. Support your answer with relevant provisions and case law.

(Marks: 20)

Q. 3)

Trade secrets form an important component of intellectual property protection, especially in sectors driven by innovation, technology, and confidential business information. Unlike other IPR's, Trade secret are not protected through registration rather through confidentiality and contractual safeguards. However, the absence of specific legislation in India raises question about the adequacy of protection and remedies available in case of misappropriation.

Discuss the legal basis for trade secret protection in India and relevant judicial decisions. Also make a comparative analysis of India's position on trade secret with other jurisdictions like US and UK. (Marks: 20)

Q.4)

Traditional Knowledge denotes to the intellect used by traditional people and usually IPR provides intellectual rights to individual rights. Critically examine how traditional knowledge is protected. (Marks: 20)

Q.5)

Explain the concept of Integrated Circuits and discuss the scope of protection granted to layout-designs of integrated circuits under The Semiconductor Integrated Circuits Layout-Designs Act, 2000. In your answer, analyze the rationale behind protecting semiconductor layout-designs. Critically examine the prohibition of registration of layout designs. (Marks: 20)

Q.6)

(Marks: 10+10= 20)

Write a Short note on:

- a) Essentially Derived Varieties and Registration of Essentially Derived Varieties.
- b) Basmati RiceTec Case.