

MEPL CLASSES

CS EXECUTIVE

ECIPL TRADEMARKS & COPY RIGHT

TIME ALLOTTED – 1 HOUR

MARKS ALLOTTED – 30 MARKS

**Question 1.**

Discuss in detail the provisions relating to registered user of trademarks.

**Question 2.**

Rohit has authored a book titled “A Concise History of Jaipur”, and the manuscript was given to Varun for printing. A dispute arose among the two as Rohan contended that Varun had no right to publish the book as there was no assignment of the copyright. On the other hand, Varun argued that there was an oral agreement in which Rohit assigned the copyright in exchange for the printing expenses that entitled him to publish it. In reality, Rohit did not give a written or oral copyright assignment in favour of Varun to publish the books.

Based on the above, answer the following questions with relevant provisions of the Copyright Act, 1957.

- (i) Do you think the requirements for the assignment of copyright were fulfilled ?
- (ii) In case of assignment of copyright to Varun, when will it be deemed to have lapsed ?
- (iii) What rights can Rohit claim if the work is utilised in any other form ?
- (iv) When can the court revoke the assignment of copyright if granted to Varun ?
- (v) What will the Court do if it receives a complaint regarding this assignment of copyright?

**Question 3.**

Benefit from trademark to all stakeholders. Comment.

**Question 4.**

Explain the provisions of ‘power of police to seize infringing copies’ under Section 64 of the Copyright Act, 1957.

**Question 5.**

Define Trade Mark Agent .

**Question 6.**

Francis is a famous lyricist in India & world-wide. Sona, another lyricist copied a very catching phrase from his song, there is likely to be infringement even if the phrase is very short. Mention the commonly known acts which are termed as infringement of copyright. Also discuss the penalties for infringement.

