



THE INDIAN LAW INSTITUTE
(Deemed University)
NEW DELHI

LL.M. (1 YEAR) 1ST SEMESTER END- EXAMINATION
DECEMBER 2024

PAPER – COMPARATIVE PUBLIC LAW

Time: 3 hours

Max. Marks: 50

Answer any five questions. All questions carry equal marks.

1. What do you mean by Comparative Public Law? Explain its nature and scope.
 2. Compare the powers and procedures relating to Constitutional Amendments in USA and India.
 3. Judicial review is a dominant feature of contemporary Public Law. Compare the nature of judicial review powers in constitutional and administrative law with reference to USA, Canada, Australia and India.
 4. Explain the relation between Rule of Law and Democracy? Elaborate your answer with relevant illustrations.
 5. What are the different forms of Government? Draw a clear distinction between the federal and unitary forms of government. What are the features, advantages and disadvantages of both forms of Governments? Explain the role of courts in preserving federalism.
 6. What does the doctrine of separation of powers entail? Do you think that the Constitution of India does not accept the principles of separation of powers rather it is based on the principles of 'checks and balances'? Explain to what extent is the doctrine of separation of powers relevant in the U.K.?
 7. Write short notes on any *TWO* of the following:
 - (a) Basic structure theory
 - (b) Distinction between constitution and constitutionalism
 - (c) Independence of judiciary
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LL.M. (1 YEAR) 1ST SEMESTER END- EXAMINATION
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PAPER – CENTRE-STATE RELATIONS

Time: 3 hours

Max. Marks: 50

Answer any five questions. All questions carry equal marks.

1. “While both the Central and state governments derive their authority from the Constitution, the Indian Constitution provides for a federal system of governance with a unitary bias”. In the light of the above statement explain the nature of Indian federalism.
 2. What are the mechanisms for co-ordination and co-operation between the union and the states in Administrative matters? Elucidate.
 3. Discuss the role of the Governor in ensuring a smooth functioning of the federal principle in India. What reforms do you suggest in strengthening the office of the Governor in avoiding conflicts between the centre and states?
 4. “Article 301 of the Indian Constitution stipulates that trade, commerce and intercourse shall be free throughout the territory of India”. Explain. Is this freedom absolute in nature?
 5. Critically examine the role of the Supreme Court in adjudicating federal disputes.
 6. What do you understand by a pluralistic society? How does the federal principle as envisaged under the Constitution promote equality in a plural society? Explain.
 7. Write short note on any *TWO* of the following:
 - (a) Allocation of Taxing Powers
 - (b) Distinction between federalism and confederation
 - (c) Distribution of legislative powers between the centre and states
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I.L.M. (1 YEAR) 1ST SEMESTER END- EXAMINATION
DECEMBER 2024

PAPER – CRIMINAL JUSTICE ADMINISTRATION

Time: 3 hours

Max. Marks: 50

Answer any five questions. All questions carry equal marks.

1. “The act of directing remand of an accused is fundamentally a judicial function. The Magistrate does not act in executive capacity while ordering the detention of an accused. While exercising this judicial act, it is obligatory on the part of the Magistrate to satisfy himself whether there exist reasonable grounds to commit the accused to custody and extend his remand.” In light of this statement, discuss the law and practice of remand.
2. Indian bail law is intrinsically anti-poor. However, in the recent past the Supreme Court has taken several measures to decongest the prisons. While analysing such measures, state the steps which you think may resolve the problem of under-trial population.
3. Do you agree that “the current approach of the Supreme Court in the domain of ‘life imprisonment’ sentencing has provided more alternatives to the courts for not awarding death penalty which has resulted in reduction of death penalty in the apex court level”. Out of the two opinions (majority and minority) in *V. Sriharan v. Union of India*, which opinion in your view appears more logical.
4. Discuss the evolution of victim centric jurisprudence in the Indian criminal justice system. How far we have moved towards giving recognition to victim rights in our statutory framework? Elucidate.
5. Discuss the principles governing the procedure of ‘default bail’ under the Code of Criminal Procedure, 1973. Would it be right to say that the Indian Supreme Court has taken a ‘pro-liberty approach’ while interpreting the provision on ‘default bail’.
6. Trace the development of law of arrest. Examine how significant is the contribution of the *Arnesh Kumar v. State of Bihar* ruling in reinforcing the changed arrest regime.
7. Write short note on any *TWO* of the following:
 - a. Legal Aid
 - b. Pre-sentence hearing
 - c. Compounding and Plea bargaining

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LL.M. (1 YEAR) 1<sup>ST</sup> SEMESTER END- EXAMINATION  
DECEMBER 2024

PAPER – LAW OF TRADEMARKS AND GEOGRAPHICAL INDICATION

Time: 3 hours

Max. Marks: 50

Answer any five questions. All questions carry equal marks.

1. Discuss the meaning of Infringement and Passing-off. Clearly bring out the distinction between Infringement and passing-off action with the help of relevant cases.
2. Define a well-known trade mark as given in the Trade Mark Act, 1999. Discuss the parameters laid down in the act to determine a well-known trade mark and the protection extended to it in the Act.
3. Discuss the doctrine of dilution of Trade marks in the light of provisions provided in the Trade Marks Act, 1999, with special reference to Trade dress and comparative advertising.
4. The Trade marks which designates the character or quality or geographic origin of the goods or services shall not be registered. Explain the law in detail in relation to the above stated grounds of refusal for registration of Trade marks with the help of case law.
5. What is a “Geographical indication” under the Geographical Indication of Goods (Registration and Protection) Act, 1999. Discuss in detail the provisions for infringement of registered geographical indications in Section 22 of the Act.
6. Discuss exception to infringement of Trade marks under Section 30 (2) (d) of the Trade Mark Act, 1999 with special reference to *Hawkins Cookers Ltd. v. Murugan Enterprises* 2012 (50) PTC 389 (Del).
7. Write short note on any TWO of the followings:
  - a. TRIPS Agreement on IPR
  - b. Domain Names as Trade marks
  - c. Use of a Trade mark under section 29 (6) of the Act, 1999

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LL.M. (1 YEAR) 1<sup>ST</sup> SEMESTER END- EXAMINATION  
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PAPER – LAW OF COPYRIGHT AND DESIGNS

Time: 3 hours

Max. Marks: 50

Answer any five questions. All questions carry equal marks.

1. “Originality does not only mean application of skill and labour, it means more than that”. In the light of above statement discuss the law relating to originality in the Copyright Laws of USA, UK and India.
2. Discuss the concept of “fair dealing” under the Copyright Act, 1957 before and after Copyright Amendment Act, 2012. Also discuss the relevant tests/ factors for determining whether the use was fair or not.
3. Discuss the ‘Right of Distribution’ of copyright work in Section 14 of the Copyright Act, 1957. Is this right limited by the ‘principle of Exhaustion’ as discussed in *John Wiley and Sons Inc and ors v. Prabhat Chander Kumar Jain*, 2020 (44) PTC 675 (Del). Elucidate.
4. Discuss the provisions of Section 17 of the Copyright Act, 1957 in relations to the ownership of the Copyright in a work.
5. What is the difference between Assignment of Copyright and a Licence. Discuss the provisions relating to assignment of Copyright under The Copyright Act, 1957.
6. Discuss the rights of Performers including the moral rights of the performers under the provisions of The Copyright Act, 1957 before and after The Copyright (Amendment) Act, 2012.
7. Write short note on any TWO of the following:-
  - (a) Definition of design under Designs Act, 2000
  - (b) Piracy of registered designs
  - (c) Neighbouring Rights and grey areas

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LL.M. (1 YEAR) 1ST SEMESTER END- EXAMINATION
DECEMBER 2024
PAPER – GENERAL PRINCIPLES OF CRIMINAL LAW

Time: 3 hours

Max. Marks: 50

Answer any five questions. All questions carry equal marks.

1. Critically reflect on the 'consensus' and 'conflict' theories of criminalization.
2. Discuss the different tests available to determine whether an act amounts to mere preparation or attempt to commit crime.
3. What are the *mensrea* elements in the offence of murder under IPC/BNS? Do you think that categorizing both 'intentional' and 'unintentional' killings as murder is correct?
4. Explain the two steps in causation analysis highlighting the difficulties in each step.
5. Discuss the law relating to corporate criminal liability for offences requiring *mensrea* element and/or attracting mandatory imprisonment.
6. The 'necessity' as a defence in criminal law is based on the principles of utilitarianism. Explain.
7. Write short notes on any TWO of the following:
 - (i) Criminal liability for omissions
 - (ii) Grave and sudden provocation
 - (iii) Distinctions between 'act', '*actus*' and '*actus reus*'

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LL.M. (1 YEAR) SEMESTER END- EXAMINATION  
DECEMBER-2024

PAPER – LAW OF PATENTS AND UNDISCLOSED INFORMATION

Time: 3 hours

Max. Marks: 50

**Answer any five questions. All questions carry equal marks.**

- Q1. Analyse the key principles of patent protection under the international framework, focusing on the Paris Convention and TRIPS Agreement. Why is national treatment one of the most important rules under the Paris Convention and under TRIPS?
- Q2. In 1995, GenPharma developed a compound named “Gencure” to treat a rare genetic disorder. The patent for Gencure, covering its base compound and all pharmaceutically acceptable salt forms, was granted in the United States. By 2003, GenPharma obtained FDA approval for one salt form of Gencure, called “Gencuresulfate,” which demonstrated higher solubility in the human body than the base compound. In 2004, GenPharma developed a specific crystalline form of Gencuresulfate, named the “gamma crystalline form,” claiming that it improves the drug’s stability without affecting its therapeutic use. The US Patent Office granted a patent for this form. In 2005, GenPharma applied for a product patent for the gamma crystalline form of Gencuresulfate in India. The Indian Patent Office rejected the application in 2009, citing Section 3(d) of the Patents Act, 1970, on the ground that the gamma crystalline form did not demonstrate significantly enhanced therapeutic efficacy compared to Gencuresulfate. GenPharma then appealed to the court.
- Does the gamma crystalline form of Gencuresulfate fulfil the requirement of “significant enhancement of efficacy” under Section 3(d) of the Patents Act, 1970? Can a patent holder claim a wide scope of an existing patent in infringement litigation but then claim a narrow scope of the same patent in examining the novelty of a salt derivative? How should the Court decide in light of the principles laid down in previous judgments?
- Q3. Discuss the subject matter of patentability, focusing on the criteria for patent eligibility under the Patents Act of 1970. Elaborate on the significance of novelty, inventive step, and industrial applicability, along with the few exceptions under Sections 3 and 4. How do these provisions ensure a balanced approach to innovation and public interest?
- Q4. Discuss the provisions for pre-grant and post-grant opposition under the Patents Act of 1970, focusing on their procedural differences and objectives.
- Q5. Explain the provisions for compulsory licensing under the Patents Act of 1970, considering the Doha Declaration on the TRIPS Agreement and Public Health. How do these provisions align with India’s commitment ensuring access to affordable medicines while respecting patent rights?

Q6. What is undisclosed information under the Intellectual Property framework, and how does it differ from patents regarding protection requirements and enforcement? Discuss how the TRIPs Agreement governs its protection and whether it provides sufficient safeguards against misuse. Comment on the protection available to trade secrets in India.

Q7. Write short notes on *any two* of the following:

- i) Bolar Exemptions
- ii) Exhaustion and Parallel Imports
- iii) TRIPs waiver

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LL.M. (1 YEAR) SEMESTER END- EXAMINATION  
DECEMBER-2024

PAPER – RESEARCH METHODS AND LEGAL WRITING

Time: 3 hours

Max. Marks: 50

**Answer any five questions. All questions carry equal marks.**

1. "Legal research is not merely an academic endeavour, but a systematic and dynamic process driven by the quest for truth and the need to adapt to societal changes." In light of the above statement, discuss the meaning, scope, and nature of legal research.
2. A well-formulated hypothesis serves as the foundation for guiding legal research, offering a structured approach to linking theoretical concepts with practical observations and findings." Examine the role of hypothesis formulation in legal research. Support your answer with examples, highlighting the consequences of poorly formulated hypotheses on the quality and reliability of research outcomes.
3. A comprehensive literature review is not just a summary of existing studies but a critical examination that identifies thematic gaps, contrasts findings, and challenges established perspectives. Using this framework, outline a detailed plan for conducting a literature review on the topic "Data Privacy and Freedom of Information: A Critical Study of Emerging Challenges in the Digital Era."
4. Critically analyse the various types of sampling techniques, including probability and non-probability method, discussing their advantages and limitations. Develop a sampling framework for the topic "Impact of Consumer Protection Laws on E-Commerce Practices in Tier-II Cities."
5. Doctrinal and non-doctrinal research methodologies represent two essential pillars of legal research, each offering unique strengths and insights. While doctrinal research focuses on analyzing legal texts, statutes, case law, and legal principles, non-doctrinal research is concerned with exploring empirical evidence, societal implications, and the practical application of the law. Compare and contrast these two methodologies, emphasizing their respective roles in legal research using examples.
6. "Ethical considerations in legal research extend beyond procedural adherence to encompass the moral integrity of the researcher and the societal impact of their findings." Discuss the challenges of maintaining ethical standards in interdisciplinary legal research.

How do principles such as transparency and accountability safeguard the credibility of legal scholarship?

7. Write Short note on any *TWO* of the following:

- a) Benefits and Challenges of using Secondary Data in Legal Research
- b) Role of International Tools and Instruments in Legal Research
- c) Importance of Inter-disciplinary Research

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LL.M. (1 YEAR) 1<sup>ST</sup> SEMESTER END- EXAMINATION  
DECEMBER 2024

PAPER – NATIONAL SECURITY

**Time: 3 hours**

**Max. Marks: 50**

**Answer any five questions. All questions carry equal marks.**

- Q1. In *A.K. Roy v. Union of India*, the Court stated, "*This question, thus, stands concluded and a final seal is put on this controversy and in view of these decisions, it is not open to any one now to contend that a law of preventive detention, which falls within article 22, does not have to meet the requirement of article 14 or article 19.*" Explain the relationship between preventive detention laws and the fundamental rights especially Article 22 of the Indian Constitution. How do case laws affirm the constitutional validity of preventive detention laws under the Indian Constitution?
- Q2. There are several theories that discuss the need for criminal laws, such as the harm principle, the clear and present danger theory, the imminent lawlessness test, the in toto test, the tendency test, the concentric circle test, and the influence test. Are these theories relevant to the criminal laws in India that deal with national security and human rights concerns? Explain why or why not.
- Q3. X1 and X2 are active members of a social media group that frequently shares content related to the opposition's views on the Indian government. The group has been known to support political dissent and has shared several calls for demonstrations. One day, the group posts a link to a video showing the 2001 Parliament attack, with some comments praising the attackers as martyrs for their cause. X1 watches the video and shares it within a different social media group, along with comments condemning the Indian government for its actions. X2, on the other hand, engages in multiple discussions within the group, expressing support for the actions of the attackers and discussing the importance of standing against the state's policies. Both X1 and X2 are aware that the Parliament attack was a terrorist act and that it resulted in the deaths of several people. They both continue to follow and support content related to similar ideologies. Analyse this in the light of *N.C.T of Delhi v. Navjot Sandhu @ Afsan Guru* (Parliament Attack Case) and the application of current and former laws such as the Unlawful Activities (Prevention) Act (UAPA), TERRORIST AND DISRUPTIVE ACTIVITIES (PREVENTION) ACT, (TADA), The Prevention of Terrorism Act, 2002 (POTA) and so on. discuss the criminal liability of X1 and X2 for their actions. Evaluate their roles under the law, considering provisions related to supporting terrorism, inciting violence, and spreading materials promoting terrorist ideologies.
- Q.4 How have United Nations Security Council (UNSC) resolutions shaped and influenced India's approach to counter-terrorism legislation? Discuss the impact of these international mandates on the formulation and evolution of India's legal framework, particularly in relation to the Unlawful Activities (Prevention) Act (UAPA), 1967 and other anti-terror laws.





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LL.M. (1 Year) 1<sup>st</sup> SEMESTER END- EXAMINATION  
DECEMBER 2024

PAPER – FUNDAMENTAL RIGHTS, FUNDAMENTAL DUTIES  
AND DIRECTIVE PRINCIPLES OF STATE POLICY

Time: 3 hours

Max. Marks: 50

**Answer any five questions. All questions carry equal marks.**

1. Critically examine the various phases through which Fundamental Rights are evolved in India.
  2. How far the Indian judiciary is successful in resolving the conflict between Article 14 (right to equality), Article 25 (freedom of religion) and Article 26 (Rights of religious denominations). Analyze with the help of case laws
  3. Discuss the nexus between Article 30(1) (autonomy to minority) and Article 29 (2) (Non-discriminatory clause) on minority rights. Elucidate with the help of relevant case laws.
  4. Elucidate the concept of “Un-enumerated FRT rights”. How those rights results in the expansion of Social Jurisprudence?
  5. Why the State would not impose a Uniform Civil Code despite a constitutional mandate to do so? State reasons with the help of relevant case laws
  6. Whether fundamental rights are subordinate to the Directive Principles? Critically examine in the light of relevant Judicial Interpretations
  7. Write Short Note on any *TWO* of the following:-
    - a) Conscience clause in Article 25
    - b) ERP TEST
    - c) Doctrine of Waiver
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LL.M. (1 YEAR) 1<sup>ST</sup> SEMESTER END- EXAMINATION  
DECEMBER 2024

PAPER – JUDICIAL PROCESS

Time: 3 hours

Max. Marks: 50

**Answer any five questions. All questions carry equal marks.**

- Q1. Elucidate the doctrine of the presumption of constitutionality in the context of Article 13 of the Indian Constitution. Discuss how this doctrine operates, its significance in upholding legislative intent, and its interplay with judicial review in cases of alleged constitutional violations. Support your analysis with relevant case laws.
- Q2. William Blackstone stated, 'For it is an established rule to abide by former precedents, where the same points come again in litigation; as well to keep the scale of justice even and steady, and not liable to waver with every new judge's opinion.' Discuss this statement in the context of the doctrine of precedent, explaining its significance in ensuring consistency in the Indian legal system, and analyze its application with the help of relevant case laws.
- Q3. Critically examine the contribution of Justice Benjamin N. Cardozo in the field of Judicial Process.
- Q4. Compare and contrast the judicial process in India and United States.
- Q5. What is Judicial Activism? Discuss in detail the nature, scope, and limitations of Judicial Activism in the judicial process in India. Cite relevant case laws
- Q6. Explain the concept of the Canons of Interpretation of Statutes. Discuss their significance in ensuring the proper application of laws, and analyze the key rules such as the Literal Rule, Golden Rule, and Mischief Rule with relevant case laws to illustrate their application.
- Q7. Write short notes on any TWO of the following: -
- HR Khanna in *ADM Jabalpur v. Shivkant Shukla*(1976)
  - Independence of Judiciary
  - Pendency in the courts and use of Technology

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**THE INDIAN LAW INSTITUTE**  
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LL.M. (1 YEAR) 2<sup>ND</sup> SEMESTER END- EXAMINATION-MAY 2025

**PAPER – GENDER AND CRIMINAL LAW**

**Time: 3 hours**

**Max. Marks: 50**

**Note: Answer any FIVE questions. All questions carry equal marks**

1. Defining the concepts of ‘vulnerability’ and ‘vulnerable groups’ is challenging, since vulnerability is a multi-dimensional concept used with both universal and particular meanings in a variety of disciplines, and can moreover be examined from different perspectives. Analyze the merit and demerits of CEDAW, 1979 in addressing the concept of vulnerability from a gender justice perspective.
2. “Feminist jurisprudence is a natural extension of equality and it looks at ways in which patriarchy can be undermined and eliminated.” Examine the statement in the light of the various feminist schools of jurisprudence.
3. Any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life, ". Critically examine how gender based violence is addressed under PWDV Act, 2005 with the help of cases.
4. How is the Concept of Rape different in (section 63) ,The Bharatiya Nyaya Sanhita 2023 than that of (section 376) of The Indian Penal Code, 1860. Also discuss the jurisprudence relating to rape developed by the Indian judiciary.
5. The Indian Judiciary has taken significant steps against the offences that outrage the modesty and violate the integrity of a woman. Examine this statement in the context of Hicklin’s test that has been adopted by the Supreme Court in *Ranjeet D. Udeshi v. State of Maharashtra* (1965).
6. The court mentioned *Vishakha* as a “double-edged weapon” in *Anita Suresh v. Union of India* (2019). Examine how the provisions of the Prevention of Sexual Harassment Act, 2013 can be misused in the light of this judgment.

7. Write short notes on any **TWO** of the following:

- a) Internal Complaints Committee (ICC) & Local Complaints Committee (LCC) under Prevention of Sexual Harassment Act, 2013
- b) Compensation Orders & Monetary Relief under PWDV Act, 2005
- c) The Challenges faced by LGBTQIA+ Community in India
- d) Pink tax-gender based pricing discrimination

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LL.M. (1 YEAR) 2<sup>ND</sup> SEMESTER END- EXAMINATION-  
MAY 2025

PAPER – INTELLECTUAL PROPERTY RIGHTS AND PUBLIC POLICY

TIME: 3 HOURS

MAX. MARKS: 50

**ANSWER ANY FIVE QUESTIONS. ALL QUESTIONS CARRY EQUAL MARKS**

1. A pharmaceutical company, Medlab Pvt. Ltd., invests in research and development to create a life saving drug for a rare disease. After clinical trials and regulatory approvals, the company patents the drug and begins commercial production in India. However, the pricing of the drug is quite high, making it unaffordable for a large section of the population in the country. In response, a public health NGO, ArogyaBhav, writes to the government urging it to make the drug affordable for people.

Based on the above factual matrix, identify and explain the relevant theories of the Intellectual property Rights (such as the utilitarian theory, natural rights theory, personality theory etc.) that can be applied to understand the justifications for granting the patent to Medlab Pvt. Ltd., and the demand by the NGO ArogyaBhav to make the drug available at an affordable price.

2. Public policy plays a structural role in shaping a country's Intellectual Property Laws, particularly in balancing national interests with global commitments. Examine how public policy considerations influence the formulations and implementation of IP laws in the context of International agreements.

Further, discuss the extent to which international instruments, such as, the Paris Convention, TRIPS Agreement, etc., contribute to the harmonization of IP standards across jurisdictions while allowing policy space for national variation.

3. The fair-dealing provision under the Copyright Act, 1957, reflects an attempt to balance the rights of copyright holders with public interest, especially in education and access to knowledge. Critically examine the scope and limits of fair dealing under Indian law, in light of judicial precedents.

4. How do the legal provisions relating to Parallel Imports, Bolar Exemptions and Government Use under the Patents Act, 1970, support public health objectives? Briefly explain their significance in the context of access to medicines and India's international commitments.
5. The National IPR Policy of India, introduced in 2016, set out specific objectives to promote awareness, generation, protection and commercialization of intellectual property in the country. Enumerate the key objectives of the policy, and as the policy approaches a decade of implementation, evaluate whether it has succeeded in meeting its stated objectives. What further steps should India undertake to strengthen its IPR regime and ensure that it remains robust, inclusive and align with national developmental goals, technological progress and global standards?
6. The *Apple v. Samsung* patent dispute highlighted how courts in different countries can arrive at divergent conclusions on similar Intellectual Property issues owing to differences in domestic laws and public policy considerations. Discuss the jurisdictional challenges associated with the cross-border enforcement of IPRs. In this context, assess the effectiveness of Article 41 of the TRIPS Agreement in ensuring consistent and effective cross-border enforcement of IPRs.
7. Write short note on any TWO of the Followings:
  - a. The journey of India from being an IP consumer to an IP creator
  - b. Availability of published materials in an Accessible format for visually impaired persons
  - c. The need for plant variety protection and its role in ensuring food security.

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**The Indian Law Institute  
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LL.M. (1 YEAR) 2<sup>ND</sup> SEMESTER END- EXAMINATION-MAY 2025

**PAPER – DESIGN LAW**

Time: 3 hours

Max. Marks: 50

Answer any **FIVE** questions. All questions carry equal marks

- Q1. How do Articles 25 and 26 of the TRIPS Agreement shape the minimum standards of protection and enforcement of Industrial Designs? Do these provisions influence the design law framework in India under the Designs Act, 2000?
- Q2. By stating that “*a ball point pen is a ball point pen,*” what is the court emphasising for registration of industrial designs under the Designs Act, 2000, and how does this reflect the threshold for novelty and the exclusion of functional/mere mechanical devices or common features from registrable designs? Discuss with the help of relevant cases.
- Q3. Shrocs Footwear Pvt. Ltd., an Indian subsidiary of Shrocs Inc. (Italy), is the registered proprietor of a design (Design No.1234) for a uniquely contoured slip-on sandal, featuring perforated holes and a rear strap, registered under the Designs Act, 2000. Shrocs alleges that Legendary Shoes India Ltd., a major domestic shoe manufacturer, has copied and commercially exploited this registered design in their sandals. Shrocs files a suit for design infringement, seeking an injunction and damages. Legendary Shoes defends the suit on the ground that Shrocs’ design had been published prior to registration, and thus is not valid. Legendary Shoes submits that the design was registered and published in the records of the Registrar of Designs in a convention country (Italy) six months prior to the Indian filing, and such records were open to public inspection as per local law, and the same design was subsequently used in catalogues at a European footwear expo. Shrocs counters that mere existence in the records of a registrar of designs, even if open to public inspection, does not constitute “publication” under the Designs Act 2000.

Does the prior registration of a design and public availability of documents existing as part of the record of the Registrar of Designs in a convention country abroad, where such records are open to public inspection, constitute “prior publication” under the Designs Act, 2000?

- Q4. Trace how Indian courts have addressed the overlap between copyright protection under Section 15(2) of the Copyright Act, 1957 and the Designs Act, 2000. Also, discuss whether the two-prong test laid down by the Supreme Court in *Cryogas Equipment Private Limited v. Inox India Limited* (2025) adequately resolves the ambiguity between artistic works and industrial designs.
- Q5. How have Indian courts interpreted the expressions “fraudulent” and “obvious imitation” in determining the infringement of registered designs? What are the defences available to a defendant in a design infringement suit under the Designs Act 2000?
- Q6. A product’s visual appearance may be protected as a design, while its distinctiveness may also qualify it for trademark protection. Discuss the overlap between the Designs Act, 2000 and the Trade Marks Act, 1999 with respect to shape trademarks, trade dress and aesthetic features of goods.
- Q7. Write Short notes on *any TWO* of the following:
- a) Registrability of Trade Variants of Registered Designs.
  - b) Impact of Riyadh Design Law Treaty, 2024 on streamlining procedures.
  - c) Assignment and Licensing of Designs.

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**LL.M. (1 YEAR) 2<sup>ND</sup> SEMESTER END EXAMINATION**

**MAY 2025**

**PAPER – MEDIA LAW**

**TIME: 3 HOURS**

**MAX. MARKS: 50**

**ANSWER ANY FIVE QUESTIONS. ALL QUESTIONS CARRY EQUAL MARKS.**

1. “Our liberty depends on the freedom of the press, and that cannot be limited without being lost.”

Critically examine the evolution of freedom of the press in India. How have the judiciary and regulatory institutions ensured a balance between the freedom of press and the concerns of public order? Discuss with reference to constitutional provisions and recent case laws.

2. “Indeed the abuses of the freedom of the press here have been carried to a length never before known or borne by any civilized nation. But it is so difficult to draw a clear line of separation between the abuse and the wholesome use of the press, that as yet we have found it better to trust the public judgment, rather than the magistrate, with the discrimination between truth & falsehood. And hitherto the public judgment has performed that office with wonderful correctness.”

Evaluate the merits and challenges of media self-regulation. Can public judgment alone ensure accountability and ethical conduct in media practices, or institutional intervention necessary?

3. “Freedom of conscience, of education, of speech, of assembly are among the very fundamentals of democracy and all of them would be nullified should freedom of the press ever be successfully challenged.”

Examine the relationship between freedom of the media and other democratic rights. In the light of rising censorship and sedition charges against journalists, assess whether the current Indian legal framework sufficiently safeguards freedom of the press or not.

4. “Judges should not be swayed by the emotional pitch of public opinion either, which is getting amplified through social media platforms. Judges have to be mindful of the fact that the noise thus amplified is not necessarily reflective of what is right and what the majority believes in. The new media tools that have enormous amplifying ability are

incapable of distinguishing between right and wrong, good and bad, and the real and fake. Therefore, media trials cannot be a deciding factor.”

Critically assess the legal and ethical implications of media trials in India. Should there be more stringent statutory regulations for the media reporting concerning sub-judice matters? Explain.

5. “When it comes to free speech and civil liability, we contend the key issue is government power. Of course, government power is involved to some extent every time a legal rule is enforced. The issue is thus not whether any form of government power is being exercised, but which kinds of government power are particularly dangerous and should be curtailed as abridgements of free expression.”

Analyze the impact of recent legislative and executive actions on freedom of the press in India. Should the judiciary act as the ultimate guardian against excessive interference with freedom of expression?

6. “A successful democracy is a Government of well-informed people. From this angle the media has a duty of more than watching the administration; it has a duty to educate the people. It also enables the people to demand positive action on the part of Government to ameliorate the condition of the society in general and of the poor sections of the society in particular.”

Considering the above, evaluate the role of media in promoting civic awareness and public participation. To what extent does the Indian media fulfill this constitutional and ethical obligation amidst rising commercialization?

7. Write short notes on any **TWO** of the following:

- a) Conflict between parliamentary privileges and freedom of the press in India.
- b) Regulation of social media and right to free speech.
- c) Ethical challenges of paid news and sensationalism in journalism.

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# The Indian Law Institute

(Deemed University)

New Delhi

LL.M. (1 Year) 2nd Semester end- Examination

MAY-2025

Paper – Law and Justice in Globalising World

**Time: 3 hours**

**Max. Marks: 50**

**Answer any Five questions. All questions carry equal marks.**

1. Evaluate the role and effectiveness of the Millennium Development Goals [MDG] and the Sustainable Development Goals [SDG] in achieving global justice. How do these reflect the idea of global distributive justice?
2. A newly elected government in a developing country seeks to withdraw from certain international investment agreements, claiming that these agreements constrain its ability to legislate on public welfare and environmental protection. However, foreign investors threaten international arbitration, invoking protections under transnational trade and investment law. Discuss the political dimensions of globalization highlighted by this scenario. How does globalization affect the policy autonomy and democratic functioning of States?
3. A multinational corporation is accused of environmental damage and labor rights violations in a developing country. Discuss the legal and institutional frameworks (national and transnational) available to ensure justice for the affected communities.
4. “Gender justice in a globalized world must contend with both traditional patriarchy and neoliberal economic structures.” Critically evaluate this statement with reference to the impact of globalization on women and LGBTQI rights.
5. In the wake of an armed conflict, a military commander, accused of committing war crimes, flees to another country. The International Criminal Court (ICC) issues a warrant, but the host country refuses to cooperate, citing sovereignty and national interest. Critically examine how international criminal law operates in a globalized legal order. What challenges does this situation pose to the enforcement of international justice, and how can they be addressed?
6. Critically examine the impact of globalization on the concept of sovereignty and federalism in the Indian context. Illustrate your answer with relevant legal and policy examples.
7. Write short notes on any **Two** of the following:
  - a) International Trade Law
  - b) Globalization and Judicial Process
  - c) International Refugee Law and Migration Law

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THE INDIAN LAW INSTITUTE  
(Deemed University)  
NEW DELHI

LL.M. (1 YEAR) 2<sup>ND</sup> SEMESTER END- EXAMINATION  
MAY 2025

PAPER – SOCIO ECONOMIC CRIMES

Time: 3 hours

Max. Marks: 50

Answer any FIVE questions. All questions carry equal marks.

1. The jurisprudence of traditional criminality recognized that “*mens rea*’ is the essential element of crime. Examine the ‘criminal liability’ in Socio Economic Crimes with the help of cases.
2. Narrate the different types of ‘Privileged Class Deviances’. Examine it in the light of the emergence of Socio economic Criminality in the International & National Scenario.
3. Examine ‘Food’ and ‘Food Business Operator’ under the of Food Safety and Standard Authority of India Act, 2006 in the context of decided cases. Compare FSSAI with Prevention of Food Adulteration Act, 1954.
4. ‘Corruption’ is the worst kind of Socio Economic Criminality in India. Critically analyze this statement in the light of anti-corruption laws in India. Whether person other than a ‘public servant’ can be punished under law. Cite relevant cases laws.
5. Which section of the Prevention of Money Laundering Act 2002 deals with the Attachment of property involved in money laundering? Critically examine with the help of decided cases.
6. How the Bharatiya Nyaya Sanhita (BNS), 2023 addressed Socio Economic Criminality. Differentiate between Organized Crimes(OCS) & Socio Economic Crimes (SECs)
7. Write Short Notes on any **TWO** of the following:
  - a) Sentencing policy in SECs
  - b) Effect of demonetization on corruption
  - c) Rational Choice Theory and White-Collar Crimes
  - d) Criminal misconduct

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