DEPARTMENT OF

**INDUSTRIAL ENGINEERING & MANAGEMENT**

| **Date** | **:** | **23rd June 2025** | **Improvement CIE** | **Max. Marks** | **:** | **10 + 50** |
| --- | --- | --- | --- | --- | --- | --- |
| **Semester** | **:** | **VI** | **UG** | **Duration** | **:** | **30 + 90 Min** |
| **Course Title: Entrepreneurship and Intellectual Property Rights** | | | | **Course Code** | **:** | **HS361TA** |

**Note:**

1. Answer all the Questions.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Sl. No** | **Questions** | **M** | **BT** | **CO** |
| **Part – A** | | | | |
|  | What are the 4Ps of marketing? | 2 | 1 | 3 |
|  | What is a Unique Value Proposition (UVP)? | 2 | 2 | 4 |
|  | What is budgeting? | 2 | 1 | 4 |
|  | What is ‘fair use’ in copyright law? | 2 | 2 | 4 |
|  | What are the rights granted to broadcasting organizations and performers? | 2 | 2 | 4 |
| **Part – B** | | | | |
| 1 | Explain branding with examples. How do Branding contribute to business success? | 10 | 2 | 3 |
| 2 | Describe the key functions of Human Resource Management. | 10 | 2 | 4 |
| 3 | A startup company designs an ergonomic and uniquely shaped water bottle with an aesthetic twist for sports users. They want to protect the design under Indian law. Explain the features of industrial design protection and the procedure to obtain protection. | 10 | 2 | 4 |
| 4 | A freelance photographer named Arjun took a series of wildlife photographs during a jungle safari. One of his photos went viral after being posted on social media. A popular travel magazine downloaded the image and used it in a commercial advertisement without seeking Arjun’s permission or providing any credit. Arjun discovers this usage and wants to take legal action.  Discuss the rights Arjun has under the Copyright Act, 1957, possible remedies available to him. | 10 | 1 | 4 |
| 5 | InnoTech Solutions, a Bangalore-based AI startup, developed a proprietary algorithm for real-time fraud detection in digital payments. The startup had not patented the algorithm to maintain it as a trade secret. A junior developer, Akhil, who worked on the codebase, left and started his own company using a similar algorithm. InnoTech sued Akhil for misappropriation of trade secrets, citing his employment contract’s confidentiality clause.   1. Discuss the legal provisions or frameworks applicable for protecting trade secrets in India. Which laws or doctrines can be used in the absence of a dedicated Trade Secrets Act? Evidence Required 2. Analyze the possible legal arguments both the plaintiff and the defendant can present in a trade secret misappropriation case 3. What type of evidence is essential to prove trade secret infringement or misuse in court? Provide examples relevant to the case. | 10 | 1 | 4 |

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**SCHEME & SOLUTIONS**

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| --- | --- | --- |
| **Sl. No** |  | **M** |
| **Part – A** | | |
|  | Product, Price, Place, and Promotion | 2 |
|  | UVP is a clear statement of the unique benefit a product offers to its customers. | 2 |
|  | Budgeting is planning future income and expenses to manage finances effectively. | 2 |
|  | Fair use allows limited use of copyrighted work without permission for purposes like research, review, reporting, and education. | 2 |
|  | Broadcasting Organizations: Exclusive rights to control rebroadcasting and reproduction for 25 years.  Performers: Right to control use of their performance and receive royalties, protected for 50 years. | 2 |
| **Part – B** | | |
| 1 | Branding is the process of creating a unique identity and perception for a product or company in the customer’s mind.  **Key Elements of Branding:**   * **Brand Name** * **Logo and Visual Identity** * **Tagline** * **Brand Personality and Values**   **Benefits of Branding:**   * **Recognition**: Builds familiarity in a crowded market. * **Trust and Loyalty**: Strong brands foster emotional connections. * **Premium Pricing**: Brands like Apple or Nike can charge more. | 2  4  4 |
| 2 | **1. Recruitment:**  * Attracting and selecting the right candidates. * Involves job analysis, posting, screening, and interviewing. * Objective: Hire individuals whose skills match the role and culture.  **2. Training and Development:**  * Equips employees with skills and knowledge. * Onboarding, skill training, leadership development. * Increases efficiency, morale, and adaptability.  **3. Performance Evaluation:**  * Assessing employee performance regularly. * Methods: 360° feedback, KPIs, MBO (Management by Objectives). * Helps identify strengths, areas for improvement, and career planning. | 4  3  3 |
| 3 | **Features of Industrial Design:**  * Protection applies to **shape, pattern, configuration, or ornamentation**. * Must appeal to the **eye (visual appearance)**. * Functional aspects are not protected under design law.  **Procedure for Obtaining Design Protection in India:**  * File an application with the **Controller General of Patents, Designs & Trademarks**. * Include drawings, photographs, or samples of the design. * Examination by the Design Office. * If accepted, it is registered and published in the official journal. * Valid for **10 years**, extendable by 5 more years. | 5  5 |
| 4 | Arjun, as the author of the photograph, enjoys the following rights:   * **Reproduction** of the photograph * **Distribution** and licensing * **Public display** or commercial use * **Moral rights**:   + Right to be identified as the author (**paternity right**)   + Right to object to derogatory treatment or distortion (**integrity right**)  **Legal Remedies Available to Arjun**Civil Remedies (under Section 55):  * **Injunction** to stop further usage * **Damages or compensation** for economic loss * **Account of profits** from the magazine’s gain  Criminal Remedies (under Section 63):  * **Imprisonment** up to 3 years * **Fine** ranging from ₹50,000 to ₹2,00,000  Other Remedies:  * Can file a complaint with a copyright board or appropriate civil court * May send a **cease-and-desist notice** | 5  5 |
| 5 | **a) Legal Framework Applied**  * No patent filed → so not protected under Patent Law. * **Protected as trade secret** under:   + **Contract Law (confidentiality clause)**   + **Tort of breach of confidence**  **b) Possible Legal Arguments**  * **InnoTech** will argue:   + Akhil accessed the confidential code under a **binding agreement**   + Similarity of output and functionality implies **use of trade secret** * **Akhil** may argue:   + The algorithm was based on **general knowledge** or public domain logic   + He developed a **different implementation**  **c) Evidence Required**  * Logs showing Akhil’s access to core code * Documentation of confidentiality obligations * Technical comparison of both algorithms | 3  4  3 |