



**I Semester M.B.A. (Day/Evening) Degree Examination, July 2023
(CBCS)**

(2021-2022 and Onwards) (Freshers)

MANAGEMENT

Paper – 1.6 : Legal Aspects and Intellectual Property Rights

Time : 3 Hours

Max. Marks : 70

SECTION – A

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

(5×5=25)

1. Examine the salient features of the Industrial Relations Code, 2020.
2. Define the following terms :
 - a) Contract labor.
 - b) Aggregator.
 - c) Gig Worker.
 - d) Agent.
 - e) Arbitrator.
3. Elaborate on the structure and importance of Social Security Organizations.
4. How digital signature is used for the authentication of electronic records ?
5. Discuss the rights of an owner of the copyright.
6. Explain patent procedure in Indian context.
7. What are the absolute grounds on which registration of trademarks can be refused ?



SECTION – B

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

(10×3=30)

8. Briefly discuss the evolution and importance of the new labor codes.
9. Write in detail about Trade Unions and the speculations for registration of a Trade Union as per the Industrial Relations Code 2020.
10. Explain how WIPO supports the protection of International IPRs.
11. Discuss the procedures for infringement of patents.

SECTION – C

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

(1×15=15)

Toyota Kirloskar Motors, known as a famous car manufacturing company, had declared a lockout at its plant located at Bidadi in Karnataka, after the workers called for a strike following the suspension of the union leader. To be more precise, on November 13th, TKM had suspended one of the union treasures for getting involved in the act of misconduct in line with the company disciplinary rules. This act of suspension provoked the workers to go on sit-in strike, unaware of the repercussions. In furtherance to the above incidence, 38 union members, coercively pulled back other workers to participate in the strike creating an impediment for the smooth manufacturing work at the plant affecting the desired production output of the company. Subsequently, after compiling the information, management concluded that these 38 members had unlawfully created trouble and hence decided to place them under SEP (Suspension Pending Enquiry).

Nearly about 1200 workers went on for an illegal strike continuation outside the company premises and indulged in slogans shouting against the management and the company in demand for reinstatement. In response to this, the company stated that "As a part of this strike the team members were unlawfully staying in the company premises even after their shift hours, creating havoc and compromising Covid 19 guidelines", thereby leading to a potentially volatile situation at the company paving a path to declaring a lockout by the management. Additionally, the management also mentioned that as it is a people-centric company, it has always been at the forefront of providing a conducive environment for its workers and as per extant service rules and principles of natural justice, all possible opportunities will be provided to their workers.



SPE, the Japanese firm said in a statement, is neither a punishment nor a loss of job but a standard practice followed in the event of misconduct by an employee. During the period of inquiry, the suspended employee will get a subsistence allowance, and the person is reinstated at work if the inquiry officer gives a clean chit.

Certain hidden problems came to light as a result of the Labour Commissioner's and Chief Minister's intervention to settle the current dispute between union and management. Workers revealed that there was a lot of work pressure in the company, which had a physical and mental effect. Along with the work pressure, the other most important problem was the elimination of the fleet process back up. This snatched away the basic leisure facility that needs to be provided for the workers by the management. The strike was the direction towards addressing these issues in later days.

As a result, on December 4th, TKM began running the plants with limited capacity by getting the written declaration from its workers who were willing to resume their work despite the problems. The written declaration had the terms and conditions clearly specified by the management which had to be abided by the workers to enter inside the company premises. Gradually, the workers started to accept the reality that the management would not negotiate on their above-mentioned problems and hence decided to accept the terms and conditions of the management and returned to their work lives.

Questions :

- 1) Analyze the case from both – employees and management perspective.
 - 2) Relate the case to Industrial Relations Code, 2020 and Summarize your views.
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