

Qamli-
17/06/25

Assignment-5 (BCC401)

Q1) Define Intellectual Property (IP) and explain its relevance in the digital age.

Ans.: → Intellectual Property (IP) refers to intangible creations of the human mind, such as inventions, literary and artistic works, designs, symbols, names, and images used in commerce.
→ It is a legal concept that grants creators exclusive rights over their creations, allowing them to control and benefit from their use for a certain period.

Types of Intellectual Property:

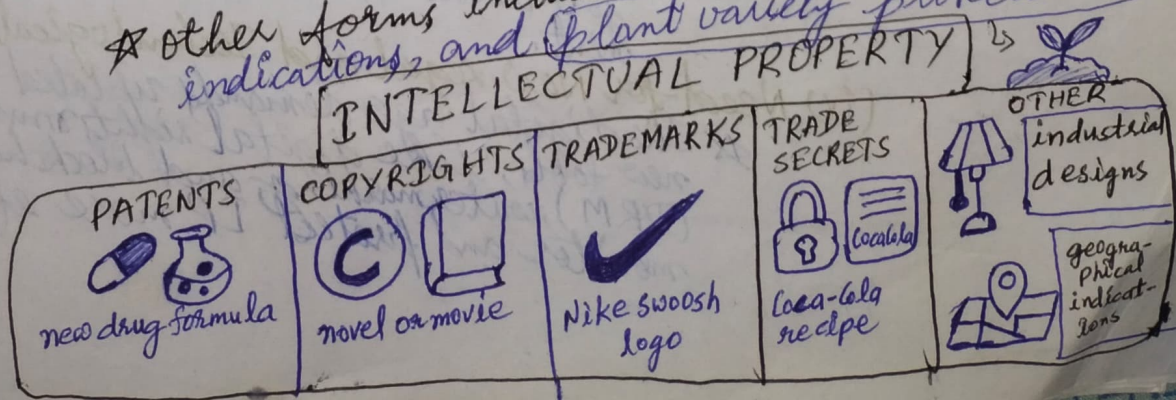
★ Patents: Protect inventions and technological innovations.

★ Copyrights: Protect original literary, artistic, and musical works, including software.

★ Trademarks: Protect brand names, logos, and slogans.

★ Designs: Protect the visual design of objects.

★ Other forms include Trade secrets, geographical indications, and plant variety protection.



Ans. ① :-
(contd--)

Relevance of Intellectual Property in the Digital Age

(i) Easy Copying and Distribution:
★ With the rise of the internet and digital technologies, it has become very easy to copy, share, and distribute digital content (like music, movies, software, and books) globally, often without the creator's permission. This increases the risk of piracy and unauthorized use.

(ii) Challenges in Enforcement:
★ Digital content can be shared across borders, making it difficult to enforce IP rights due to varying laws and jurisdictional issues.
★ Tracking and stopping online infringement is much more complex than in the physical world.

(iii) Economic and Creative Impact:
★ IP protection is crucial for encouraging innovation and creativity.
★ It ensures that creators, inventors, and businesses can earn from their work, which in turn supports economic growth, job creation, and technological advancement.

(iv) Need for New Legal and Technological Solutions:
★ The digital age demands updated laws and new tools, like digital rights management (DRM), watermarking, and blockchain, to monitor and protect IP more effectively.

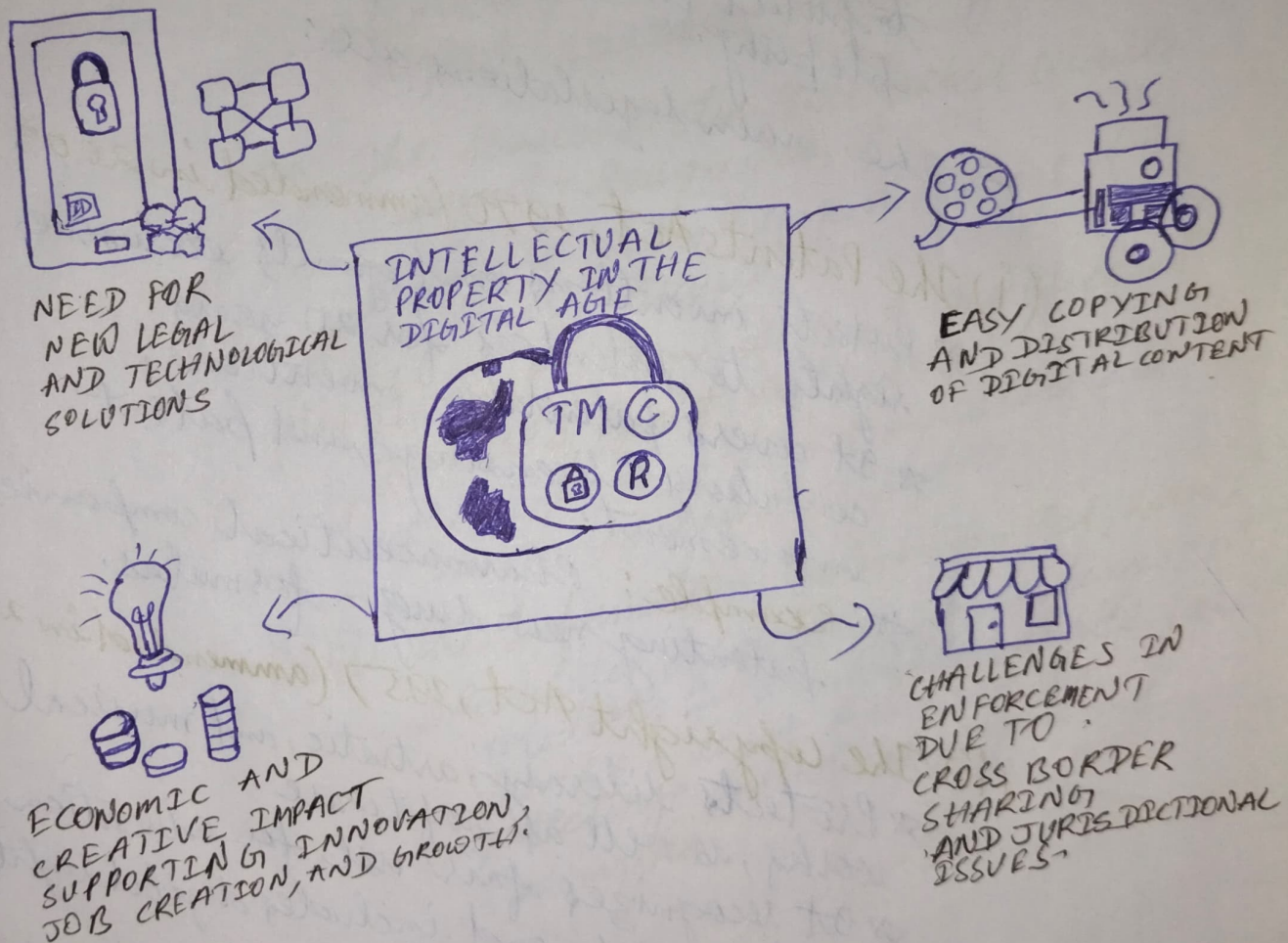
Ans. ①
(contd--)

Ans. (1) :-
(contd..)

Real-World Examples:

(03)

- ★ Pirated movies and software are widely available online, causing huge losses to the entertainment and tech industries.
- ★ Fake branded goods and trademark misuse are common on e-commerce platforms, affecting consumer trust and brand value.



(04)

Q2 List and briefly describe the key intellectual property-related legislations in India.

Ans.:- Key Intellectual Property-Related legislations in India

* India has a comprehensive legal framework to protect various forms of intellectual property.

→ The main legislations are:

(i) The Patents Act, 1970 (amended in 2005):

* Protects inventions and grants exclusive rights to patentees for 20 years.

* It covers patentable inventions, compulsory licensing, and patent enforcement.

* Example: Pharmaceutical companies patenting new drug formulas.

(ii) The Copyright Act, 1957 (amended in 2012):

* Protects literary, artistic, and musical works, as well as software.

* It recognizes fair use for education and research, and includes digital rights management provisions.

* Example: Copyright for books, movies, and software like Tally ERP.

(iii) The Trademarks Act, 1999:

* Protects brand identifiers such as names, logos, and slogans. Registrations are valid for 10 years and can be renewed indefinitely.

* Example: Trademark protection for the "TATA" brand.

Ans. (2) :-
(contd.)

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(iv) The Designs Act, 2000:
* Protects industrial designs like product shapes and patterns for 10 years (renewable)
* Example: The unique shape of the Coca-Cola bottle.

(v) The Geographical Indications of Goods (Registration and Protection) Act, 1999:
* Protects goods linked to specific geographical origins. Example: Darjeeling Tea.

(vi) The Semiconductor Integrated Circuits Layout - Design Act, 2000:
* Protects original layout designs of integrated circuits.

(vii) The Protection of Plant Varieties and Farmer's Right Act, 2001:
* Protects new plant varieties and recognizes farmers' rights.

(viii) The Information Technology Act, 2000:
* Regulates cybercrimes, including IP violations in the digital space, and provides a legal framework for protecting online copyrights and trademarks.

Q3) What is the duration of protection for patents, copyrights, and trademarks in India?

Ans. :-

Patent	Copyright	Trademark
Protects inventions and new technical ideas	Protects original literary, artistic, musical works	Protects brand names, logos, symbols, slogans.
Granted for inventions that are novel, non-obvious, and industrially applicable	Granted automatically to original creative works fixed in a tangible form	Granted to distinctive marks used in commerce.
Duration: 20 years from filing date.	Duration: Lifetime of author + 60 (years) in India.	Duration: 10 years, renewable indefinitely
Registration is mandatory	Registration not mandatory but recommended	Registration is recommended
Rights: To make, use, sell, or license the invention	Rights: To reproduce, distribute, perform, adapt, display the work.	Rights: To use the mark and prevent misuse.
Example: New drug formula, machine	Example: Book, movie, software.	Example: Nike "Swoosh", Coca-cola name.

Q4 Describe the concept of fair use under copyright law.

Ans: - Fair Use Under Copyright Law

Fair use (called "fair dealing" in India) is a rule that allows people to use small parts of someone else's copyrighted work without asking for permission, but only for certain reasons.

When Can We Use Fair Use?

We can use fair use of activities like:

- ★ Studying or Research: Using a small part of a book or article for your homework or research project.
- ★ Teaching: Teachers can use parts of books, songs, or videos to explain lessons in class.
- ★ Criticism or Review: Writing a review of a movie, book, or song and quoting a small part of it.
- ★ News Reporting: Showing a short clip or quoting a part of a speech while reporting news.

What Makes Use "Fair"?

To decide if something is fair use, the law looks at:

- ★ Purpose: Is it for education, news, or personal study (usually fair)? Or is it for making money (usually not fair)?
- ★ Amount Used: Are you using only a small part, or almost the whole thing? Using less is more likely to be fair.

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Ans. (4) :-
(contd. -)

★ Effect on the Market: Does your use harm the original creator's ability to sell their work? If yes, it's less likely to be fair.

Examples

★ Quoting a few lines from a book in a school essay.

★ Playing a short part of a song in a classroom to explain its meaning.

★ Showing a short video clip in a news report.

Important points

★ Fair use is not a free pass to copy anything you want. It only covers specific uses.

★ If you use too much of the work or use it for business, it may not be fair use.

★ If you are unsure, it's safer to ask for permission.

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