



NATIONAL OPEN UNIVERSITY OF NIGERIA
14/16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS
SCHOOL OF LAW
JUNE/JULY 2013 EXAMINATION

COURSE CODE: LAW 435

COURSE TITLE: LAW OF INTELLECTUAL PROPERTY I

TIME ALLOWED: 3 Hours

INSTRUCTIONS: Answer any 5 questions. All questions carry equal marks.

1. Discuss the law relating to registration of trade mark bringing out the significant differences in the regulatory framework.
2. Discuss the various types of industrial property law.
3. Describe the practical considerations which are considered before granting of a patent.
4. With the aid of decided authorities, describe the case of Euromarket Designs Inc v. Peters and Crate & Barrel, as it relates to advertisement on the Internet.
5. Discuss the scope and elements of passing off.
6. Describe the protections available to a merchandiser under the Industrial Property law with respect to character merchandising.
7. With the help of examples distinguish between passing off and trade libel.
8. a. What features a design must have in order to be registrable? Describe.
b. Explain with statutory authorities and case law, the defences available to the defendant and remedies to the claimant in a registered design rights.
9. Describe the criteria of patentability.

