



**NATIONAL OPEN UNIVERSITY OF NIGERIA
14-16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS
SCHOOL OF MANAGEMENT SCIENCES
JANUARY/FEBRUARY 2013 EXAMINATION**

INSTRUCTION: Answer five questions in all
TIME: 3 Hours
INDUSTRIAL PROPERTY II LAW 436

- 1. Discuss the criteria of patentability of an invention.**
- 2. Discuss the concept of ownership of a patent in industrial property law.**
- 3. List and discuss the functions of trademarks**
- 4. In the light of the requirement that a mark should be capable of Graphic Representation discuss and assess the possibility of registering**
 - a. Sound marks**
 - b. Olfactory marks**
 - c. Shape marks**
 - d. Colour marks**
- 5. Discuss the elements of passing-off**
- 6. Discuss the remedies to and the defence of passing off.**
- 7. Discuss briefly the following under industrial property law.**
 - a. Patent**
 - b. Designs**
 - c. Trademarks**
- 8. The PDA, 1990 and the Patent Act of 1977 contains numerous provisions setting out the basic rules on entitlement and procedures for determining who is entitled to a patent in a particular case. Discuss three ways patents can be dealt with as intellectual property right.**
- 9. Discuss the national and international legal frameworks for the regulation of patent in Nigeria.**