

II Semester M.B.A. (Day) Degree Examination, June/July 2007
(Updated Scheme)
MANAGEMENT
2.7 : Business Law

Time: 3 Hours

Max. Marks: 75

Instruction: Let the answers be objective. Give examples from practice to illustrate your answers.

SECTION – A

1. Answer **any six** of the following sub-questions. **Each** sub-question carries **two marks**. **(6×2=12)**
- a) State the sources of Indian Law.
 - b) What do you mean by 'Right-in-personam' and 'Right-in-rem' ?
 - c) State the rule of 'caveat emptor'.
 - d) Define the term 'consumer' under the Consumer Protection Act, 1986.
 - e) Define International Law.
 - f) What is a letter of credit ?
 - g) What are Cyber Laws ?
 - h) What are defensive trade marks ?
 - i) State the environmental effects of zero-economic growth.

SECTION – B

Answer **any four** questions. **Each** question carries **five marks**. **(4×5=20)**

- 2. Explain the rules of interpretation.
- 3. Describe the role of Government as a promoter of business and also as a regulator of business.

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4. Explain the procedure for registration of a Trade Mark.
5. Narrate the objectives of the Information Technology Act, 2000.
6. Explain the factors that contributed for the growth of MNCs.
7. What are the standard clauses in an International Sales Contract ? Explain.

SECTION – C

Answer **any three** questions. **Each** question carries **ten** marks. **(3×10=30)**

8. Explain briefly the structure of Judicial System in India.
9. Enumerate the major laws currently in vogue and having influence on the business decisions of the companies in India.
10. Describe the essentials of a valid contract.
11. Explain the rules as to delivery of goods under the Indian Sale of Goods Act, 1930.
12. Critically examine the aims and objectives of The Environmental Protection Act, 1986."

SECTION – D

Case Study **(1×13=13)**

13. Basmati is an aromatic rice grown in Northern India and Pakistan. In September, 1997, Rice Tec., a small food technology company based in Texas, United States, was granted a patent by the U.S. patent office to call on aromatic rice variety developed in USA as Basmati. India challenged the case, arguing that basmati is a unique rice grown in Northern India, and not a name Rice Tec. could claim. In fact only inventions can be patented. Consequently, the U.S. patent office accepted India's basic position, and Rice Tech had to drop 15 out of 20 claims that it had made. Of the remaining claims, Rice Tec, managed to evolve three new varieties of rice for which it got a patent from United States Patent and Trademarks Office (USPTO), as India had not objected to these. The ruling has not handed over

Rice Tec., the basmati brand. Rather, it provides it a patent for superior three strains of basmati developed by cross-breeding a Pakistani Basmati with a semi-dwarf American variety.

According to the WTO agreement, geographical indications like basmati can be legally protected and their misuse can be thus prevented. The unfortunate thing is that the Government of India has not taken timely steps for protecting our geographical indications and bio-diversity.

Questions:

- a) Can any of the following, viz; turmeric, neem and the name basmati be patented ?
Substantiate your answer.
 - b) Evaluate the legal implications of the role played by the Government of India (GOI) in preventing the misuse of the name 'Basmati'.
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