

LOYOLA-INTERNATIONAL ACADEMIC COLLABORATION

LOYOLA COLLEGE CHENNAI – 600 034

BBA-FRANCE – END SEMESTER EXAMINATION

SECOND SEMESTER – APRIL 2023

BBA 234 – CIVIL LAW



Date : 06-05-2023

Dept. No.

Max. : 100 Marks

Time : 09:00 AM - 12:00 NOON

I. Solve

(20x1= 20 marks)

1. Infringement means
 - a. Fraud
 - b. Mistake
 - c. Breach
 - d. None of the above
2. The Paris Convention for the Protection of Industrial Property, 1883. The Paris Convention applies to
 - a. Trademarks, unfair competition and patents
 - b. Geographical indicators
 - c. Goods and services trade
 - d. All of the above
3. A notable difference between civil law and criminal law is
 - a. Dispute
 - b. Punishment
 - c. Parties
 - d. Courts
4. For a proposal to become a contract or an agreement they need to have
 - a. A common goal
 - b. Enforceability by law
 - c. Relation between parties
 - d. Both a and b
 - e. Both a and c
5. Issues based on finalising a contract between two parties
 - a. Business law
 - b. Administration law
 - c. Property law
 - d. None of the above
6. Paris convention provides __ months of priority period
 - a. 10
 - b. 24
 - c. 3
 - d. 12
7. The Berne convention was signed in Switzerland. (True/False)
8. Defendant is a person who files a suit. (True/False)
9. Procedural law is also called as adjective law. (True/False)
10. The Famous Kesavananda Bharti (1973) case was associated with which issue?
 - a. Violation of personal rights
 - b. IPR Infringement
 - c. land reforms legislation
 - d. abolishment of directive principles of state policy

11. A _____ contract is one such contract which is prohibited by law and has no legal effect for it.
 a. Illegal b. void c. valid d. voidable
12. In the Kesavananda Bharati case, which of the following elements were declared as the 'Basic Structure' by the supreme court.
 i. 1. Supremacy of the Constitution
 ii. 2. Federal character of the constitution
 iii. 3. Every citizen is equally accountable to the same law
 Select the correct code:
 a. 1, 2
 b. 2, 3
 c. 1, 3
 d. 1, 2, 3
13. If the plaintiff is absent during the appearance the suit may be dismissed. (True/False)
14. The TRIPS (Trade related aspect of Intellectual property rights) agreement is administered by:
 a. World intellectual property organization
 b. World Trade Organisation (WTO)
 c. United Nation Organization (UNO)
 d. None of the above
15. The purpose of granting a trademark is to encourage inventions by promoting their protection and utilization so as to contribute to the development of the industries. (True/False)
16. Article 44 is a part of which policy?
17. Which one of the following is not included under Copyrights Act?
 a. A cinematographic film
 b. Layout design of a circuit
 c. A sound recording
 d. All of these are included
18. IPR issues doesn't come under Property law. (True/False)
19. Under which landmark case was the Basic Structure Doctrine introduced?
20. To prevail, the plaintiff must establish the defendant's liability only according to the _____
 a. Judgement
 b. preponderance of evidence
 c. burden of proof
 d. All of the above.

II. Answer the following

(10Marks)

1. Match the following

(5 marks)

- | | |
|-----------------------|----------------------|
| i. Writ of Certiorari | A. entitled to cost |
| ii. Award of cost | B. Set of Principles |
| iii. Sanctions | C. legal remedy |
| iv. Verdict | D. monetary fines |
| v. Doctrine | E. Judgement |

2. When did these events took place?

(2 marks)

Choose from the following: 1973, 1883, 1978, 1886

- i. Paris Convention
 ii. Kesavnanada Bharati Case
 iii. Berne Convention
 iv. Menaka Gandhi case

3. Answer the following

(3 marks)

- i. Full form of WHO
- ii. Article 44 defines the _____
- iii. The process directed to a proper office of court to notify the person named that he is required to appear and answer the claim is called?

III. Short Answers. Any 10

(10x2 = 20 marks)

- 1) Why is UCC not implemented nationwide?
- 2) Explain the two types of law under Civil procedure code.
- 3) What is the purpose of civil law?
- 4) What are writs in civil law?
- 5) Explain the objective of Article 44.
- 6) What are intellectual property rights?
- 7) What were the fundamental rights that were challenged in the Maneka Gandhi case.
- 8) Briefly describe the Kesavnanda Bharthi case of Kerala. What post-independence change gave rise to the case?
- 9) What was the landmark judgment of kesavananda Bharathi's case?
- 10) What are civil rights?
- 11) Difference between criminal and civil law?

IV. Answer the following

(5x3 =15 marks)

1. What are civil sanctions?
2. Explain any 3 fundamental liberties.
3. What is award of cost?
4. Elaborate the 4 systems that civil law follows.
5. Explain the following concepts with appropriate examples:
 - a) Trademark
 - b) Geographical indicator
 - c) Patent

V. Answer in brief. Any 3

(3x5 = 15marks)

1. Explain the different types of jurisdictions
2. Explain the types of civil law.
3. Briefly discuss about Paris Convention
4. What is IPR and its subdivisions? Explain.

VI. Answer any 2

(2x10 = 20 marks)

1. Explain briefly the case of Kesavananda Bharati v. State of Kerala.
2. Explain briefly the case of Maneka Gandhi v. Union of India.
3. Explain the stages of a civil suit as per CPC.
