



NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW, DEPARTMENT OF PRIVATE AND PROPERTY LAW
Plot 91, Cadastral Zone, Nnamdi Azikiwe Express Way, Jabi – Abuja
2022_2 POP EXAMINATION

COURSE CODE: PPL436

COURSE TITLE: INTELLECTUAL PROPERTY LAW II

TIME ALLOWED: 3 HOURS

INSTRUCTION: ANSWER QUESTION 1 (COMPULSORY) AND ANY THREE (3) OTHERS. QUESTION 1 (ONE) IS FOR 25 MARKS, OTHERS ARE 15 MARKS EACH

1. Mark has been in the employment of Crane ventures Ltd for over 5 years working as a language interpreter but was allowed to spend one hour every week to engage in his pet project which is research based. Last year he invented a peculiar type of remote security lock for fire proof safe in offices. His company wants to register the patent in the company's name but he feels differently. Advise Mark.
2. Amaka has a design of hair stretching comb which she want to register but knows neither the procedure nor the requirement. She has come to you for advice.
 - (a) Using the Dictum of Michael Fysh QC in *Woodhouse UK Plc v. Architectural Lightning Systems* explain to her the procedure .
 - (b) Explain with statutory authorities and case law, the defences available to the defendant in a registered design right's action.
3. With the aid of judicial authorities discuss the requirements for a passing off action.
4. What are the legal protections that a merchandiser can explore
5. Using the case of *Schulke & Mayr UK Ltd v. Alkapharm UK Ltd* explain the concept of malicious falsehood and what the claimant will need to prove to succeed in an action for malicious falsehood.
6. Discuss the circumstances under which a trademark can be revoked and the implication of such revocation.