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JAYPEE UNIVERSITY OF INFORMATION TECHNOLOGY, WAKNAGHAT
TEST -1 EXAMINATION- 2026
M.Tech-I Semester (BT)

COURSE CODE (CREDITS):18M11BT114 (3) MAX. MARKS: 15
COURSE NAME: PATENTING IN BIOTECHNOLOGY
COURSE INSTRUCTOR: GOPAL SINGH BIST MAX. TIME: 1 Hour

Note: (a) All questions are compulsory.
(b) The candidate is allowed to make Suitable numeric assumptions wherever required for solving problems
(c) Use of calculator is not allowed

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Q.No	Question	Marks
Q1	Study the following case and then answer following question in context of Indian Patent system. AgriTech Solutions Pvt. Ltd. developed a novel drone-mounted fertilizer sprayer incorporating a pressure-sensitive nozzle array that automatically adjusts spray density based on crop canopy height, sensed via ultrasonic sensors. The company filed a patent application (Application No. 12345678) on 10 January 2024, with claims directed to the nozzle-sensor integration and the control algorithm governing spray adjustment. The application was published on 12 July 2024. On 20 September 2024, Kisan Drone Ltd., a competitor, filed a representation for pre-grant opposition under Section 25(1), alleging that the invention lacked novelty in view of a US patent (US'456) disclosing ultrasonic-sensor-based spray control for orchards, and that the claimed control algorithm was merely a "method of performing mental acts," excluded under Section 3(m). AgriTech successfully overcame the opposition by amending claims to specify a particular hardware-implemented feedback loop distinguishing it from US'456 (which used manual calibration, not automatic real-time adjustment), and the patent was granted on 5 March 2025. Six months later, AgriTech discovered that Harvest Robotics was manufacturing and selling an identical sprayer system, "SprayMate," using the same nozzle-sensor feedback mechanism, without authorization. Simultaneously, AgriTech had earlier granted an exclusive license to FarmEquip India for manufacture and sale in the states of Punjab and Haryana only, via a registered license deed dated 1 April 2025. FarmEquip now wishes to sue Harvest Robotics independently, while AgriTech wants to separately assign the patent rights for the Southern states to another company, AgroSouth Ltd. Questions	[2x4=8]

(30)

	a) On what grounds could Kisan Drone have opposed the grant, and were they well-founded? b) Can FarmEquip India sue Harvest Robotics independently for infringement? c) Is AgriTech's proposed regional assignment to AgroSouth valid, and what formalities are required? d) What defenses might Harvest Robotics raise against the infringement claim?	
Q2	Answer/explain the following. a) A patent is often described as a 'negative right' rather than a positive right. Critically examine this statement. b) Explain Technical advance/Inventive steps in detail in patent specification. c) Justify the need for PCT in context of inventor. d) Compare and contrast between exclusive, sole and compulsory licence.	[1.5] [2] [2] [1.5]

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