



FACULTY OF LAW
END OF SEMESTER EXAMINATIONS - APRIL 2025

PROGRAMME: LLB

YEAR/SEM: YEAR 4/SEMESTER 2

COURSE CODE: LLB 4212

NAME: INTELLECTUAL PROPERTY LAW II (ELECTIVE)

DATE: 2025-04-17

TIME: 2:00-5:00PM

INSTRUCTIONS TO CANDIDATES:

1. Read the instructions very carefully
2. The time allowed for this examination is STRICTLY three hours
3. Read each question carefully before you attempt and allocate your time equally between all the Sections
4. Write clearly and legibly. Illegible handwriting cannot be marked
5. Number the questions you have attempted
6. Use of appropriate workplace examples to illustrate your answers will earn you bonus marks
7. Any examination malpractice detected will lead to automatic disqualification.

DO NOT WRITE ANYTHING ON THE QUESTION PAPER

Section A Question is mandatory

Question 1:

Maystill Research Centre, a research centre that has specializes in research on medical products has over the last 10 years employed Rukundo Mwerire, PhD as a Researcher.

In Rukundo Mwerire, PhD's employment contract, it states that whatever products and/or scientific inventions or inventions he develops during the course of his employment as long as he uses the centre's equipment and resources, those products and/or inventions belong to Maystill Research Centre and whatever Intellectual Property rights thereto.

During the course of his employment, in 2021, Rukundo developed a device that can suck poisonous substances from the human body. This is momentous for the research institution and enables them get millions of dollars in grants and they have been to sell the device to a number of medical facilities all over the world.

Maystill Research Centre has recently, this year 2025 filed for Patent regarding the device. Quietly Rukundo Mwerire is aggrieved having gotten wind of this development.

As an Intellectual Property lawyer working at IP Associates & Co, he approaches you for legal advice. In a comprehensive legal memorandum, advice Rukundo Mwerire, PhD on the legal issues herein.

(25 marks)

Section B Choose any 1 question from both questions available

Question 1:

Write short notes:

- (Prior art and Right of priority. **(25 marks)**
- (Patents and Utility Models **(25 marks)**

Question 2:

a.

W Write short notes:

- a. Inventive step and Industrial Application **(25 marks)**
- b. Licensing and Assignment of patents **(25 marks)**

Section C Choose any two from the four questions

Question 1:

Discuss Compulsory Licensing in Patent law citing the relevant law and authorities. **(25 marks)**

Question 2:

"Our health as human beings and patents have a strong connection" as per Professor Muloya. Discuss this statement citing relevant examples, authorities and case law taking into account recent developments. **(25 marks)**

Question 3:

Discuss Industrial Designs as an area of Intellectual Property citing the relevant law and authorities. **(25 marks)**

Question 4:

Patents rights have become centre stage in the recent years regarding health matters. Citing the relevant law and authorities, discuss how Patent law deals with health rights. **(25 marks)**