



THE MOMBASA POLYTECHNIC UNIVERSITY COLLEGE

Faculty of Business & Social Studies

DEPARTMENT OF MEDIA AND GRAPHIC DESIGN

DIPLOMA IN GRAPHIC DESIGN

(DGD III)

LAW OF COPYRIGHT

END OF SEMESTER EXAMS

SERIES: APRIL/MAY 2010

TIME: 2½ HOURS

INSTRUCTIONS TO CANDIDATES

1. This paper consists of **EIGHT** questions.
2. Answer Question **1** and any other **TWO** questions.
3. Cheating leads to disqualification.
4. Switch off mobile phone.

- Q.1 (a) Define the following law and copyright terms:
- (i) Industrial design
 - (ii) Infringement and inspection and discovery orders
 - (iii) Commercial and industrial limitations. (6 marks)
- (b) (i) Differentiate suing for profit general and pecuniary damages, when infringement has been proved in a court of law. (6 marks)
- (ii) Differentiate between copyright and industrial design. (6 marks)
- (c) (i) State **FIVE** facts that affect new patents. (3 marks)
- (ii) Explain how the facts mentioned above in 1(c)(i) above affect new patents. (3 marks)
- (iii) Discuss briefly grounds affecting validity of both old and new patents and old patents only. (6 marks)
- Q.2 (a) Describe **FIVE** stages of registering a patent. (10 marks)
- (b) Explain **FIVE** factors affecting patentability concept. (10 marks)
- Q.3 Discuss any **FIVE** sources of East Africa community copyright law. (20 marks)
- Q.4 Discuss at least **TEN** implications of making infringement of artistic designs, trade marks, and creating unfair competition, a criminal offence. (20 marks)
- Q.5 (a) Define the following terms:
- (i) Patents
 - (ii) Registered industrial designs. (4 marks)
- (b) Distinguish in details the terms mentioned in 5(a)(i) above. (16 marks)
- Q.6 (a) Explain at least **FOUR** uses of exclusive rights of patents to the owner. (10 marks)
- (b) Describe systems used to protect the rights of the patent owner mentioned above in 6(a). (10 marks)
- Q.7 Discuss at least **FIVE** implications of lack of operationalization of patent law in Kenya. (20 marks)
- Q.8 Discuss at least **FOUR** rights of artists that can be applied using present Kenyan law. (20 marks)