**Business Law**

**April 2025 Examination**

**Q1. Intellectual Property Rights are an important asset for an organization. In today’s competitive business environment there is a need to protect and enforce Intellectual Property Rights. Please highlight the nature and types of Intellectual Property Rights and give one real life example on how businesses can achieve competitive advantage through Intellectual Property Rights? (10 Marks)**

**Ans 1.**

**Introduction**

Intellectual Property Rights (IPRs) are vital for fostering innovation and creativity in today’s knowledge-driven economy. They provide businesses with a legal framework to safeguard their unique creations, ideas, and inventions from unauthorized use or replication. As markets become increasingly competitive, organizations must protect their intellectual assets to maintain a competitive edge and generate long-term value. IPRs enable companies to differentiate themselves by offering distinctive products and services, thereby ensuring sustained growth. For instance, businesses leverage patents, trademarks, and copyrights to

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**Q2. Environment Protection is a key objective linked to business goals and it impacts organizations, if they violate laws governing environment protection. Authorities like National Green Tribunal have come down heavily on organizations that violate such laws. List down two (2) judgments/orders where the National Green Tribunal has passed orders/directions to ensure protection of environment, and which has adversely impacted businesses. (10 Marks)**

**Ans 2.**

**Introduction**

Environmental protection is an essential objective for businesses, given the growing emphasis on sustainability and the need to preserve natural resources for future generations. Regulatory bodies such as the National Green Tribunal (NGT) play a crucial role in enforcing environmental laws and ensuring compliance. The NGT, established under the National Green Tribunal Act of 2010, serves as a specialized judicial body to handle environmental disputes. It has broad powers to impose penalties, issue directives, and ensure the implementation of environmental regulations. Businesses that fail to adhere to these laws

**Q3. Healthcom is an Indian health tech company that has products which deploy cardiology monitoring technology in India. Healthcom’s products are always approved by the DCGI (Drug Controller General of India) and only then they are launched in India.**

**Healthcom has received a request from a Public Information Officer of the DCGI’s office to disclose all technical details and commercial information of the patented technology that it uses in its products. This request is based on a RTI application which the Public Information Officer has received from a consumer in India.**

**In light of the above facts, can you advise Healthcom on:**

**A) Whether Healthcom is required to disclose such information under Right to Information Act, 2005? Can it deny the disclosing of such information especially if it is requested under Right to Information Act, 2005? (5 Marks)**

**Ans 3a.**

**Introduction**

The Right to Information (RTI) Act, 2005, empowers citizens to request access to information held by public authorities to promote transparency and accountability. However, the Act also includes specific exemptions to protect sensitive information. Healthcom, as a private entity, is not directly subject to RTI obligations unless its information is held by a public authority. This section examines whether Healthcom must disclose proprietary

**B) List of exemptions from disclosure of information under Right to Information Act, 2005 and the relevant legal provisions. (5 Marks)**

**B. Exemptions from Disclosure under the RTI Act, 2005**

**Ans 3b.**

**Introduction**

The RTI Act, 2005, incorporates specific exemptions to balance transparency with the protection of sensitive information. These exemptions safeguard interests such as national security, personal privacy, and trade secrets. This section outlines the legal provisions that provide grounds for refusing disclosure of information under the RTI Act.

**1. Section 8(1): General Exemptions**