**Business Law**

**NMIMS Centre for Distance and Online Education (NCDOE)**

**Internal Assignment Applicable for 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?**

**Answer:**

**Introduction:**

Intellectual Property Rights (IPR) are legal protections granted to individuals or organizations for their inventions, creations, or innovations. IPRs allow creators to control the use of their work, offering them an exclusive right to benefit from their intellectual efforts. These rights are essential for businesses, as they foster innovation, ensure fair competition, and enhance brand value.

**Nature of Intellectual Property Rights:**

**This is partially solved sample answer**

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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.**

**Answer:**

**Introduction:**

The National Green Tribunal (NGT) has been instrumental in ensuring the protection of the environment in India, passing orders that impact businesses, especially those violating environmental laws. These cases underscore the NGT's role in holding businesses accountable for their environmental impact, ensuring that industries comply with laws that protect the environment, and imposing severe penalties or shutdown orders when violations occur. Here are two key judgments/orders where the NGT has passed directions that adversely impacted businesses:

**1. Shree Cement Ltd. vs. State of Rajasthan (2014)**

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**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?**

**Answer:**

**Introduction:**

Healthcom is not obligated to disclose its patented technology or commercial information under the RTI Act if it can justify the non-disclosure based on exemptions related to intellectual property rights and commercial confidentiality. It can, therefore, deny the request by citing these exemptions.

In light of the scenario presented, here's the advice for Healthcom regarding the Right to Information (RTI) Act, 2005:

**1) Is Healthcom required to disclose such information under the Right to Information Act, 2005?**

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

**Answer:**

**Introduction:**

Under the Right to Information (RTI) Act, 2005, there are specific exemptions under which information can be withheld by public authorities. These exemptions are outlined in Section 8 of the RTI Act. Below is a list of key exemptions that are relevant to Healthcom’s case, along with the associated legal provisions:

**1. Section 8(1)(a) – Sovereignty and Integrity of India**

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