

Assignment Booklet -1

**POST GRADUATE DIPLOMA IN
INTELLECTUAL PROPERTY RIGHTS
(PGDIPR)**

Jan/July-2022

Tutor Marked Assignments (TMA)

For

MIP-101 to MIP 104



**SCHOOL OF LAW
INDIRA GANDHI NATIONAL OPEN UNIVERSITY
MAI DAN GARHI, NEW DELHI – 110 068**

Dear Student,

This booklet contains the assignments for MIP-101 to MIP-104.

Each course has one assignment, which you need to complete and send to your study centre before **April 30, 2022** for the students enrolled in the **January, 2022** session and **31st October, 2022** for the students enrolled in **July, 2022** session. Please note that, you will not be allowed to appear for the Term End Examination for the course, the assignments of which are not submitted before the due date.

The assignments constitute the continuous component of the evaluation process and have 30% weight age in the final grading. You need to score 40% marks in assignment for each course in order to clear the continuous evaluation component.

Instructions for Formatting Your Assignments

- 1) You should specify clearly on the first page of all your assignment responses the course code, course title, assignment code, your enrollment number, name and address in the given format:

Course Code:.....	Enrolment no:
Course Title:	Name:
Assignment Code.....	Address:
Regional Centre Code:.....	
Study Centre Code:.....	Date:.....

PLEASE FOLLOW THE ABOVE FORMAT STRICTLY TO FACILITATE EVALUATION AND TO AVOID DELAY.

- 2) The Assignment Response should be hand-written and use only A-4 or foolscap size writing paper (but not of very thin variety) for writing your answers.
- 3) Leave at least 4 cm margin on the left, top and bottom of your answer sheet for the evaluator's comments.
- 4) Your answers should be brief, precise and in your own words. **Please do not copy the answers from the study material.**
- 5) A serious action will be taken if any attempt to copy the Assignment Response from other student is done.
- 6) While solving the questions, clearly indicate the question number along with the part being solved. Recheck your work before submitting it.
- 7) This assignment will remain valid for **one year**. However, you are advised to submit it **within eight weeks** of receiving this booklet to accomplish its purpose as a teaching-tool.

We recommended that you retain a copy of your assignment response to avoid any unforeseen situation.

Our best wishes for your studies.

**Programme Coordinator
PGDIPR**

TUTOR MARKED ASSIGNMENT MIP-101: General Introduction to

Intellectual Property Rights

Course Code: MIP-101

Assignment Code: MIP-101/TMA/2022

Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 4** of the course.
- All questions are compulsory.
- Please answers in your **own words**; do not copy from the course material.
- **Answer any Ten questions**

10X10= 100

1. Discuss the rationale behind the concept of intellectual property. What are the underlying premises of the global IP regime?.
2. Discuss the Appeal Mechanism available in India in relation to IPRs.
3. Discuss the important principle provisions of the Berne Convention for the protection of Literary and Artistic works.
4. What is the 'idea – expression dichotomy' in IP?
5. What is "passing off"? What are the distinctions between passing off actions and infringement of trade mark?
6. Discuss the basic features of the Rome Convention.
7. How does the present IP system strike a balance between the rights of an inventor and the rights of other individuals and the Society in general?
8. Discuss the main provisions of Patent Law Treaty, 2000.
9. Write a short note on
 - a) Technological measures to enforce IPRs
 - b) International organisations active in IPR enforcement.
10. Discuss the different modes of acquisition of intellectual property.
11. Discuss the purpose, objectives and functioning of Patent Co-operation Treaty.
12. How will autonomy and financial independence help an IPO, considering has to function within the policy framework given by the national? Why cannot an IPO be completely free of government's control?

TUTOR MARKED ASSIGNMENT

MIP-102: Patents

Course Code: MIP-102
Assignment Code: MIP-102/TMA/2022
Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 4** of the course.
- All questions are compulsory.
- Please answers in your **own words**; do not copy from the course material.
- **Answer any Ten questions**

10X10= 100

1. Who can be a Patent Agent? Discuss their rights, qualification and disqualification for registering as a patent agent.
2. What is a patent and why are patents necessary?
3. Discuss the different types of infringements of patents.
4. Why an invention should be patented, rather than keeping it secret?
5. Explain 'Bollar provision' and 'parallel import'.
6. What criteria must an invention satisfy for it to be granted a patent?
7. Discuss different types of infringement.
8. What is difference between an industrial design and a trade mark or Patent?
9. What type of biological materials can be deposited?
10. Discuss provisional specifications and complete specification in a Patent Application.
11. When are the breeder's rights cancelled?
12. What are the major activities involved in technology transfer?

TUTOR MARKED ASSIGNMENT

MIP-103: Industrial Designs and Layout Designs of Integrated Circuits And Utility Models

Course Code: MIP-103

Assignment Code: MIP-103/TMA/2022

Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 4** of the course.
- All questions are compulsory.
- Please answers in your **own words**; do not copy from the course material.
- **Answer any Ten questions**

10X10= 100

1. What are the requirements which a sign must fulfil in order to serve as a trademark?
2. What are the criterias to determine the similarity of designs?
3. How will you go about applying for a trademark registration? Discuss issues related to examination of the application for registration of a trademark.
4. Write a note on Utility Model System of Malayasia.
5. What are the differences between the Madrid Agreement and the Madrid Protocol?
6. What cannot be protected by Industrial Design Rights? Explain with examples.
7. What is counterfeiting? Discuss with the help of examples.
8. Explain the salient features of Semiconductor Integrated Circuits and Layout Design Act, 2000.
9. Discuss the impact of infringement of designs on the right holder.
10. Discuss the provisions in the treaty pertaining to division of application and registration.
11. Discuss the various rights conferred by utility model protection.
12. What do you understand by use requirements for protection of trademark rights? Discuss issues concerning proper use of trademarks.

TUTOR MARKED ASSIGNMENT

MIP-104: Trademarks, Domain Names and Geographical Indications

Course Code: MIP-104

Assignment Code: MIP-104/TMA/2022

Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 4** of the course.
- All questions are compulsory.
- Please answers in your **own words**; do not copy from the course material.
- **Answer any Ten questions**

10X10= 100

1. How has the TRIPS Agreement expanded the scope of copyright?
2. What do you mean by domain testing? Discuss with the help of examples.
3. How is the Berne Convention administered? Explain.
4. Define character merchandising.
5. What do you mean by domain testing? Discuss with the help of examples.
6. Explain the term “homonymous geographical indication”. Also distinguish between geographical indication and trademarks.
7. Write a note on the rights management information systems
8. Define trademark licensing. Explain the purpose of trademark licensing.
9. What are the remedies available for the infringement of Trademarks?
10. Discuss the licensing and assignment in Trademark Law.
11. Write a note on the right of self help.
12. Mention the conditions to which a state’s domestic legislation is subject while restricting the right of translation.

Assignment Booklet -2

**POST GRADUATE DIPLOMA IN
INTELLECTUAL PROPERTY
RIGHTS
(PGDIPR)**

Jan/July-2022

Tutor Marked Assignments (TMA)

For

MIP-105 to MIP 108



**SCHOOL OF LAW
INDIRA GANDHI NATIONAL OPEN UNIVERSITY
MAIDAN GARHI, NEW DELHI – 110 068**

Dear Student,

This booklet contains the assignments for MIP-105 to MIP-108.

Each course has one assignment, which you need to complete and send to your study centre before **October 31, 2022** for the students enrolled in the **January, 2022** session and **30th April, 2023** for the students enrolled in **July, 2022** session. Please note that, you will not be allowed to appear for the Term End Examination for the course, the assignments of which are not submitted before the due date.

The assignments constitute the continuous component of the evaluation process and have 30% weight age in the final grading. You need to score 40% marks in assignment for each course in order to clear the continuous evaluation component.

Instructions for Formatting Your Assignments

- 2) You should specify clearly on the first page of all your assignment responses the course code, course title, assignment code, your enrollment number, name and address in the given format:

Enrolment no:

Name:

Address:

.....

Course Code:.....

Course Title:

Assignment Code.....

Regional Centre Code:.....

Study Centre Code:.....

Date:.....

PLEASE FOLLOW THE ABOVE FORMAT STRICTLY TO FACILITATE EVALUATION AND TO AVOID DELAY.

- 8) The Assignment Response should be hand-written and use only A-4 or foolscap size writing paper (but not of very thin variety) for writing your answers.
- 9) Leave at least 4 cm margin on the left, top and bottom of your answer sheet for the evaluator's comments.
- 10) Your answers should be brief, precise and in your own words. **Please do not copy the answers from the study material.**
- 11) A serious action will be taken if any attempt to copy the Assignment Response from other student is done.
- 12) While solving the questions, clearly indicate the question number along with the part being solved. Recheck your work before submitting it.
- 13) This assignment will remain valid for **one year**. However, you are advised to submit it **within eight weeks** of receiving this booklet to accomplish its purpose as a teaching-tool.

We recommended that you retain a copy of your assignment response to avoid any unforeseen situation.

Our best wishes for your studies.

Programme Coordinator
PGDIPR

TUTOR MARKED ASSIGNMENT

MIP-105: Copyright and Related Rights

Course Code: MIP-105

Assignment Code: MIP-105/TMA/2022

Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 4** of the course.
- All questions are compulsory.
- Please answers in your **own words**; do not copy from the course material.
- **Answer any Ten questions**

10X10= 100

1. Discuss the evolution of the philosophy of modern patent system.
2. Discuss the criteria of patentability under the Indian Patents Act.
3. What is copyright infringement? Explain colorable imitation with example.
4. What powers of a civil court does the Controller of patents enjoy?
5. What are the TRIPS requirements regarding provision of criminal procedures for copyright infringement?
6. Write a note on jurisdiction of courts in relation to infringement of copyright.
7. What are the requirements for a valid copyright assignment? Explain.
8. Write a detailed note on Author's Special Rights with the help of case law.
9. The proprietor of a trademark keeps threatening another person in the trade with a suit for infringement of his trademark. Does the second person have another remedy available in the Act to stop the threats?
10. Discuss 'anti-Competitive agreements' and 'abuse of dominant position' in the context of the Competition Act, 2002. What can the Competition Commission do if it finds abuse of dominant position taking place?
11. Discuss the powers and functions of the Registrar of copyrights.
12. Which IP Acts does the office of the CGPDTM administer? Which offices supervise it?

TUTOR MARKED ASSIGNMENT

MIP-106: Plant Varieties protection, Biotechnology And traditional Knowledge

Course Code: MIP-106

Assignment Code: MIP-106/TMA/2022

Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 4** of the course.
- All questions are compulsory.
- Please answers in your **own words**; do not copy from the course material.
- **Answer any Ten questions**

10X10= 100

1. Distinguish CMOs in Traditional Mode from their Modern Version.
2. Discuss the European Directive on Protection of Biotechnological inventions.
3. Write a short note on the substance of the Internet Treaties.
4. Discuss the basic requirement which a characteristic should fulfill before it is used for DUS testing.
5. Why do we need collective administration of copyright?
6. Discuss the problems in enforcing the Plant Breeder Rights (PBRs).
7. Define Copyright with reference to Section 14 of the Copyright Act, 1957 and court decisions. Also give examples of the types of works that are covered by copyright.
8. Write a note on the rationale for Farmer's Rights.
9. Discuss the duties of the standing committee of the PPVFR in the promotion and protection of new plant varieties.
10. Describe in detail the procedure for registration of copyright?
11. Explain the issue of access and benefit sharing and the provisions on its implementation under CBD (Convention on Biological Diversity).
12. What all happens in Collective Management of Copyright and Related Rights?

TUTOR MARKED ASSIGNMENT

MIP-107: Trade Secrets, Competition Law and Protection of TCE

Course Code: MIP-107

Assignment Code: MIP-107/TMA/2022

Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 4** of the course.
- All questions are compulsory.
- Please answers in your **own words**; do not copy from the course material.
- **Answer any Ten questions**

10X10= 100

1. Analyse linkage between the protection of traditional cultural expressions and human rights issues..
2. What is the test evolved by Holmann J. to decide whether a variant infringes an invention?
3. Discuss the provisions of the Contract Act, 1972 which deal with the protection of confidential information.
4. Discuss the role of World Customs Organisation in combating IPR crime. Explain the efforts made for combating counterfeiting.
5. With the help of decided cases, analyse the approach of the Supreme Court of India on the restrictive clauses in the contracts of employment.
6. Discuss the criminal remedies for intellectual property infringements.
7. Write a note on the Creative Heritage Project.
8. What do you mean by alternative dispute resolutions? Discuss the role of WIPO in disputes settlement.
9. Discuss the judicial perspective on specific categories of unfair trade practices.
10. What do you understand by intellectual property induced dominance? Explain abuse of such dominance with the help of examples.
11. What is arbitration? Discuss the process of conduct of arbitration.
12. What do you mean by alternative dispute resolutions? Discuss the role of WIPO in disputes settlement.

TUTOR MARKED ASSIGNMENT

MIP-108: Management of IPRs.

Course Code: MIP-108

Assignment Code: MIP-108/TMA/2022

Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 4** of the course.
- All questions are compulsory.
- Please answers in your **own words**; do not copy from the course material.
- **Answer any Ten questions**

10X10= 100

1. Discuss importance of Intellectual Property Assets.
2. Does digital material have special copyright?
3. What are the ways to detect the infringement of your IP on the Internet?
4. Explain the 'Innovation theory' and its effect on patents.
5. What are the issues raised by patenting of onco-mouse?
6. Discuss briefly different types of Licensing of Patents.
7. What difficulties arise due to strong inter-relation of hardware-software compatibilities in case of computers?
8. Write a note on the Qualitative Evaluation approach of IP valuation.
9. What do you understand by Prior Informed Consent? When this consent is required to be obtained and for what purpose?
10. What is defensive mechanism of protection of TK? Give one example of defensive mechanism of protection of TK.
11. Explain the popular methods of patent valuation.
12. What are the different challenges faced in the management of Internet addresses and domain name system?