

**POST GRADUATE CERTIFICATE IN
PATENT PRACTICE (PGCPP)**

Term-End Examination

December, 2013

**MIR-021 : OVERVIEW OF INTELLECTUAL
PROPERTY RIGHTS**

Time : 3 hours

Maximum Marks : 100

- Note :** (i) *Answer all the questions from Part-A.
Each question carries 2 marks.*
- (ii) *Answer any five questions from Part-B.
Each question carries 10 marks.*
- (iii) *Answer any two questions from Part-C.
Each question carries 15 marks.*

PART-A

Answer the following and ensure that the answer is brief, not exceeding *two or three* lines : **10x2=20**

1. (a) Concept of Trademark.
(b) Define Geographical Indicator.
(c) Traditional knowledge Digital Library.
(d) Infringement of Intellectual property Rights.
(e) Counterfeiting and Piracy.
(f) Prior informed consent.
(g) Meditation.
(h) Technical Known - how.
(i) Interlocutory injunction.
(j) Genetically modified organisms.

PART - B

Attempt **any five** questions from this part. Answer to a question should **not** be more than **300 words** :

5x10=50

1. Discuss the rationale behind the Concept of Intellectual Property.
2. Discuss various stages involved for acquisition of a patent for an invention.
3. What is a Domain Name ? Discuss the role of WIPO in the resolution of domain name disputes ?
4. Discuss the issues thrown up before the Intellectual Property Regime due to the emergence of biotechnology.
5. How have the advances in new technologies affected the evolution of concept and scope of patent ?
6. How does patent system contribute to technology development ?
7. From your own experience , give five examples of traditional knowledge that you may have observed.
8. What do you understand by Prior Informed Consent ? When this consent is required to be obtained and for what purpose ?
9. Why do business men generally prefer civil suits to criminal suits in cases of infringement of IP ?

PART- C

Answer **any two** of the following question in not more than **450 words each**: **2x15=30**

1. Critically examine Pre and Post grant procedures under the Patent Act , 1970.
 2. Can traditional knowledge be patented ? Discuss in the light of cases decided.
 3. Critically examine the role of World Intellectual Property Organization in administering intellectual property rights.
 4. A Chinese Company has developed a patented flat plate speaker using MEMS technology. The speakers are like a painting frame and provide high quality performance compared to the existing box speakers. The Chinese Company has already successfully commercialized the technology. They would like to license the technology to an Indian Company on payment of lump sum amount of US\$ 1 million + 5% Royalty on annual sales.
 - (a) Who could be the prospective licenses in India ?
 - (b) What should be the exclusively terms ?
 - (c) Should the Indian License insist in Joint Venture with equity participation ?
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