

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

Term-End Examination

December, 2013

**MIP-007 : ENFORCEMENT OF INTELLECTUAL
PROPERTY RIGHTS**

Time : 2 hours

Maximum Marks : 50

Note : All questions are compulsory.

1. Attempt **any five** parts : **5x2=10**
- (a) What does IPIC stand for ?
 - (b) What is "National treatment" ?
 - (c) When mediation is terminated ?
 - (d) Name the remedies which are available to an IPR owner to seek pre-trial relief ?
 - (e) What are the major functions of UDRP ?
 - (f) What are implications of counterfeiting ?
 - (g) What do you mean by enforcement of IPRs ?
 - (h) How GI for wines and spirits are protected under TRIPS Agreement ?
2. Attempt **any three** parts : **3x5=15**
- (a) Discuss how enforcement of IPR can be made effectively ?
 - (b) Discuss various grounds of infringement of a registered trade mark.
 - (c) How arbitral awards are made as per the WIPO Arbitration Rules.

(d) On whom the burden of proof lies-plaintiff or defendant in cases of proceedings relating to infringement of product patent and process patents ?

3. Attempt **any three** parts : **3x5=15**

- (a) Discuss the role of conciliator in conciliation proceeding. How does a conciliator conclude settlement agreement ?
- (b) What are recommendations of custom co-operation council for the development of more effective custom controls.
- (c) Describe the civil litigation remedies for intellectual property infringements.
- (d) Discuss the 'pith and marrow' Doctrine.

4. Attempt **any two** parts : **2x5=10**

- (a) Discuss the procedure for conducting Arbitral proceedings.
 - (b) What provisions have been made in the TRIPs Agreement for the protection of performers, producers of phonograms and broadcasting organisations ?
 - (c) What are the rights conferred on owner of registered trademark as per the TRIPs Agreement ? Discuss.
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