

**POST GRADUATE CERTIFICATE IN
PATENT PRACTICE**

Term-End Examination

December, 2012

**MIR-023 : INDIAN PATENT LAW AND
PROCEDURES**

Time : 3 hours

Maximum Marks : 100

PART-A

Answer all the following Questions. Each Question Carries **2 marks.** **10x2=20**

1. What do you mean by accident infringement ?
2. Define benefit 'claimers' in light of Indian Biological Diversity Act.
3. What are the rights of patent agents ?
4. What are the cognate inventions ?
5. Who are the persons entitled to fill an application to obtain a patent in India ?
6. Who can be a potential licensee ?
7. What is provisional specification of patent ?
8. Explain the Gillette Defence.
9. Explain Injunction.
10. What is patentable subject matter as per Article 27 (1) of TRIPS Agreement ?

PART - B

Answer *any five* question from the following. Each question carries **10 marks**. **5x10=50**

11. Explain the salient features of Intellectual Property Appellate Board (IPAB).
12. Explain the general procedure of PCT filing.
13. Explain fair major types of patents.
14. Discuss the grounds of post-grant opposition.
15. Discuss how patent searches are Conducted.
16. Explain the salient features of convention on Biological Diversity Act (CBD).
17. Write a note on availability of patent examiners.

PART - C

Answer *any two* of the following questions. Each question carries *15 marks*.

2x15=30

18. What is meant by the term traditional knowledge ? Discuss the various issues relating to traditional knowledge as listed by World Intellectual Property Organisation (WIPO).
19. What do the phrases 'capable of industrial application' and 'patent of addition mean' ? Discuss.
20. Discuss the objectives of patenting. What are its implications towards commercialisation of patent ?
21. What are the pre-requisites for obtaining compulsory license ? Discuss the provisions relating to grant of Compulsory License as contained in chapter XVI of the Patents Act, 1970.
