

**MASTER OF INTELLECTUAL PROPERTY
LAW (MIPL)**

Term-End Examination

00392

December, 2014

MIR-039 : PLANT VARIETY PROTECTION

Time : 2 hours

Maximum Marks : 50

*Note : This paper is divided into two parts. Part A and Part B. Both parts are **compulsory**.*

PART A

*Attempt **all** the questions from this part. Each question carries 2 marks. $10 \times 2 = 20$*

1. Farmer managed seed system is also called
 - (a) Formal seed system
 - (b) Informal seed system
 - (c) Plant variety associations
 - (d) None of the above

2. The period of registration for plants under the Seeds Act, 1966 is
- (a) 20 years
 - (b) 30 years
 - (c) 15 years
 - (d) 18 years
3. TRIPs Agreement permits its member states to use which of the following approaches to protect its plant varieties ?
- (a) Patent Law
 - (b) An effective sui generis system
 - (c) Either by patent law or by an effective sui generis system or by any combination thereof
 - (d) None of the above
4. Which Declaration or Convention reaffirms the right of a country to undertake compulsory licensing and parallel importing of pharmaceutical drugs ?
- (a) Doha Ministerial Declaration
 - (b) Convention on Biological Diversity
 - (c) Shanghai Declaration
 - (d) All of the above

5. Disarticulation means
- (a) Replanting the seeds
 - (b) Harvesting the seeds
 - (c) Separation of seed from the seed head
 - (d) Both (a) and (b)
6. Conventional plant breeding is
- (a) manipulation of combination of chromosomes
 - (b) developing crops by collective farming
 - (c) producing high yielding varieties of seeds
 - (d) natural selection of seeds
7. In which of the following landmark cases, did the U.S. Supreme Court hold that 'living organisms could be patented' ?
- (a) Marbury v. Madison
 - (b) Arizona v. U.S.
 - (c) Van Stophorst v. Maryland
 - (d) Diamond v. Chakrabarty
8. Effective sui generis system
- (a) promotes food security
 - (b) integrates sustainable development with IPRs regime
 - (c) provides for protection regime for the inventors and also the other actors involved in agriculture
 - (d) both (a) and (b)

9. Plant genetic erosion is due to which of the following reasons ?

- (i) High degree of ignorance of genetic resources
- (ii) Giving priority only to a small number of crops
- (iii) Promoting hybridisation
- (iv) Plants are used for ornamental purposes

- (a) (i) and (ii)
- (b) (ii) and (iii)
- (c) (iii) and (iv)
- (d) All the above

10. Protection of Plant Varieties and Farmers' Rights Act, 2001 covers which of the following ?

- (i) Micro-organism
- (ii) Asexually reproducing plants
- (iii) Seeds

- (a) (i) and (ii)
- (b) (ii) and (iii)
- (c) only (i)
- (d) only (iii)

PART B

Attempt any **three** questions from this part. Each question carries 10 marks. 3×10=30

11. What is meant by 'Trade secrets' ? Discuss the importance of trade secrets in plant variety protection.
 12. Discuss the need and relevance of International Union for the Protection of New Varieties of Plant Convention (UPOV Convention).
 13. Explain in brief the farmers' rights as provided by PPVFR Act, 2001.
 14. Distinguish between the Formal and Informal seed system.
 15. Discuss the concept and history of biotechnology.
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