

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

Term-End Examination

00462

December, 2014

**MIR-040 : INTERNATIONAL AND COMPARATIVE IP
LAW**

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. 10×2=20

1. Which of the following terms most accurately describes the principle of trade policy that allows traders to trade across national boundaries without interference from their respective governments ?
 - (a) Free trade
 - (b) Interstate trade
 - (c) Independent trade
 - (d) Trade between nations

2. Which of the following terms most accurately describes the principle that “if the trademarked product legally entered the market somewhere, reselling the product anywhere in the world is not infringement” ?
- (a) One time sale principle
 - (b) Universality principle
 - (c) Principle of resale
 - (d) Prior sale principle
3. Which of the following terms most accurately describes the process of erosion of the singularity and exclusivity of the trademark in its effectiveness in calling to mind a specific product ?
- (a) Tarnishing
 - (b) Copying
 - (c) Blurring
 - (d) Imitating
4. Which of the following registered corporations marked its first sound mark “Yodel” in the year 2008 ?
- (a) Google
 - (b) Yahoo! Inc
 - (c) Bing
 - (d) Microsoft

5. Which of the following is the landmark judgement in which the Supreme Court set out the principles involving copyright infringements ?
- (a) Biswanath v. Hindustan Metal
 - (b) Star India Pvt. Ltd. v. Leo Burnett (India) Pvt. Ltd.
 - (c) R.G. Anand v. Delux Films
 - (d) Whirlpool Corporation v. N.R. Dongu
6. Which of the following kinds of trade dress is least likely to obtain protection even in the light of an established 'Secondary meaning' ?
- (a) Suggestive
 - (b) Arbitrary
 - (c) Generic
 - (d) Fanciful
7. What is the duration of Patent protection available under the Indian Patent Act, 1970 ?
- (a) 15 years from the date of application
 - (b) 20 years from the date of application
 - (c) 60 years from the date of application
 - (d) 22 years from the date of application

8. The doctrine of pith and marrow and the doctrine of equivalent makes a party liable for
- (a) Infringement of Copyright
 - (b) Infringement of Trademark
 - (c) Infringement of Patent
 - (d) Infringement of Geographical Indications
9. In which city is the headquarters of the International Bureau of the World Intellectual Property Organisation located ?
- (a) New York
 - (b) Geneva
 - (c) Washington
 - (d) Boston
10. In which year was the Geographical Indications of Goods (Registration and Protection) Act passed in India ?
- (a) 1995
 - (b) 1999
 - (c) 2001
 - (d) 2005

PART B

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

11. Discuss sui generis protection of traditional knowledge.
 12. What are the initiatives taken by WIPO for the protection of traditional knowledge ? Discuss.
 13. What are the consequences of evergreening of patent ? Discuss.
 14. What are the Rights of an author of copyright in a musical work ? Discuss with the help of illustrations.
 15. What is free trade agreement ? Explain its features.
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