

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

00842 **Term-End Examination**  
**December, 2014**

**MIP-004 : COPYRIGHT AND RELATED RIGHTS**

*Time : 2 hours*

*Maximum Marks : 50*

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1. Answer any *five* parts. Each question carries *two* marks. *5×2=10*
- (a) What are the two pre-conditions for a work to be protected under Copyright Law ?
- (b) What is the minimum standard of protection, in terms of duration, provided to a work under copyright in international conventions ? Is it any different in India ?
- (c) Is a press-release protected under copyright ? If a country modifies its copyright law how will an author of this country enjoy in another country of the Berne Union, the same rights as he enjoys in his country of origin ?
- (d) Why was it considered necessary to launch the Universal Copyright Convention when the Berne Convention for the Protection of Literary and Artistic Works already existed ?

- (e) What does the Rome Convention of 1961 deal with ? How does it affect the protection of copyright in literary and artistic works ?
- (f) What is meant by the terms 'programme' and 'emitted signal' under the Satellite Convention of 1974 ?
- (g) Name the two WIPO Internet treaties.
- (h) What obligations are cast on contracting parties concerning technological measures under the WIPO Performances and Phonograms Treaty ?

2. Answer any *two* parts. Each question carries *five* marks. 2×5=10

- (a) What is a derivative work ? Can it be protected under copyright law ? Discuss the concept of originality of a derivative work. If A has translated a classic work of an author, can A stop another person from translating the same work, granting that A's translation enjoys the protection ?
- (b) Discuss the protection afforded to computer programs under the TRIPs Agreement.
- (c) What are Related Rights ?

Discuss why the rights of performers need to be recognized and granted protection as intellectual property.

3. Answer any *two* parts. Each question carries *five* marks.  $2 \times 5 = 10$

- (a) Discuss the minimum protection required to be provided under the Rome Convention.
- (b) Discuss the provisions in the TRIPs Agreement concerning Related Rights.
- (c) How are the Copyright and Related Rights enforced internationally ? Discuss the international protection environment and global linkages.

4. Answer any *two* parts. Each question carries *ten* marks.  $2 \times 10 = 20$

- (a) Discuss the principal provisions of the Universal Copyright Convention comparing them with the provisions of the Berne Convention, where there are differences between the two. How are these differences sought to be reconciled ?
  - (b) Discuss the provisions of the WIPO Copyright Treaty relating to the 'digital agenda'.
  - (c)
    - (i) What are non-voluntary licenses in the context of copyright ? Are they justified ?
    - (ii) Discuss ownership and transfer of copyright.
    - (iii) What is the minimum term of protection under copyright in international conventions ? Can a country vary the term so provided ?
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