

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

Term-End Examination

December, 2015

MIR-036 : ADVANCED IP ISSUES

Time : 2 hours

Maximum Marks : 50

Note : (i) *This paper is divided into two parts - Part A and Part B.*

(ii) *Both the parts are compulsory.*

PART - A

Attempt **all** the questions from this Part. Each question carries **2** marks. **10x2=20**

1. Which of the following is an example of free culture ?
 - (a) Creative Commons
 - (b) Facebook
 - (c) Encyclopedia Britannica
 - (d) The Right to Information Act, 2005
2. Which of the following is not a model recognised under the Gowers Review, 2006 ?
 - (a) The UK Model
 - (b) The Asiatic Model
 - (c) The USA Model
 - (d) Cyber Socialism

3. Which of the following terms best describes a government allowing a third party to produce the patented product or process without the consent of the patent owner ?
- (a) Intellectual property permission
 - (b) Compulsory licence
 - (c) Reproduction licence
 - (d) Both (b) and (c)
4. Prior to the advent of Biotechnology, which of the following was most likely the reason for the exclusion of living organisms from the sphere of patentable subjects matter ?
- (a) There were too many living organisms
 - (b) It was not clear as to which country some living organisms belonged to
 - (c) They were treated as the products of nature
 - (d) None of the above
5. Which of the following terms is best suited to describe the protection of clinical test data for a set period of time, which is submitted to a regulatory authority to prove safety and efficacy of a new drug ?
- (a) Clinical exclusivity
 - (b) Clinical protection
 - (c) Data exclusivity
 - (d) Data protection

6. Which of the following is not an American enactment associated with data protection ?
- (a) Price Competition and Patent Term Restoration Act, 1984
 - (b) Hatch - Waxman Act, 1984
 - (c) American Data Protection and Services Act, 1999
 - (d) Federal Food, Drug and Cosmetic Act, 1997
7. Which was the first drug to use recombinant DNA technology ?
- (a) Human pheromone
 - (b) Human thyroid
 - (c) Human adrenaline
 - (d) Human Insulin
8. Which of these is not a component of 'detriment' ?
- (a) Erosion
 - (b) Blurring
 - (c) Tarnishing
 - (d) All of the above
9. The abbreviation 'DRM', associated with copyright law, stands for which of the following ?
- (a) Digital Recording Mechanism
 - (b) Data Recording Mechanism
 - (c) Digital Rights Management
 - (d) Data Rights Management

10. Copyrights are referred to as 'Soft Intellectual Property' because :
- (a) There is no rigid procedure for their protection.
 - (b) They have to be expressed in a tangible medium.
 - (c) Parties have freedom in the manner they use this right.
 - (d) None of the above

PART - B

Attempt **any three** questions from this Part. Each question carries **10** marks.

3x10=30

- 11. Critically analyze the existing regulatory framework relating to Genetically Modified (G.M.) food.
- 12. Explain the advantages of Patent Co-operation Treaty (PCT).
- 13. How is software patenting legally implemented in India and Brazil ? Discuss.
- 14. Discuss the copyright issues involved in digitisation of libraries.
- 15. Discuss the existing framework for protection of folklore in India.