

00171

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

Term-End Examination

December, 2015

MIR-037 : IP LITIGATION

Time : 2 hours

Maximum Marks : 50

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

PART - A

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

1. The Intellectual Property Appellate Board (IPAB) was set up under which section of the Trade Marks Act, 1999 ?
 - (a) Section 73.
 - (b) Section 83.
 - (c) Section 103.
 - (d) Section 82.

2. Which of the following is the main administrative institution(s) in India for Intellectual Property ?
- (a) The office of the Controller General of Patents, Designs and Trademarks.
 - (b) The office of Competition Commission.
 - (c) The office of The Trade - marks Registry.
 - (d) Both (a) and (c).
3. In the Register of Patents, which of the following details are not entered ?
- (a) The names and addresses of grantees of patents.
 - (b) Notification of assignment and transmission of patents.
 - (c) Matters affecting the validity of proprietorship of patents.
 - (d) The property details of the Patentee.
4. The Patent Office is headquartered in :
- (a) Mumbai
 - (b) Kolkata
 - (c) Chennai
 - (d) New Delhi
5. Which of the following agreement/treaty lays down the minimum common standards for the protection of Intellectual Property Rights ?
- (a) TRIPS agreement
 - (b) Patent Co-operation treaty
 - (c) Patent law treaty
 - (d) GATT

6. The application to Registrar for registration of a layout-design shall be made on :
- (a) Form LD - 1
 - (b) Form LD - 2
 - (c) Form LE - 3
 - (d) Form ED - 1
7. The reason to consider ADR Mechanisms in resolving IP disputes is :
- (a) Quick and Efficient Resolution
 - (b) Cost Efficiency
 - (c) Confidentiality
 - (d) All of the above
8. Effective privacy protection must include :
- (a) Mechanism for assuring compliance with the principle.
 - (b) Recourse for individuals to whom the data relate.
 - (c) Follow up procedures.
 - (d) All of the above.
9. 'Forum Shopping' means :
- (a) Party's action of looking for a court or judge that is likely to render a favourable result.
 - (b) Party's action of looking for a court or judge that is likely to render an unfavourable result.
 - (c) Shopping when sale is there.
 - (d) Shopping as per the convenience.

10. The Copyright Office has been created under _____ of The Copyright Act, 1957.
- (a) Section 8(1)
 - (b) Section 9(1)
 - (c) Section 10(1)
 - (d) None of the above

PART - B

Attempt **any three** questions from this part.

Each question carries **10** marks :

3x10=30

11. Enumerate the powers of the Registrar of Trade - marks under the Trade - marks Act, 1999.
12. What are the remedies available under the TRIPS Agreement for Infringement of IPR'S ?
13. What do you understand by Intellectual Property Insurance ? Discuss the nature of IP Insurances.
14. Write a note on 'Anton Piller Order'.
15. What is an ex-parte order ? Discuss the guidelines of the Supreme Court to issue ex-parte orders.
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