

00141

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

Term-End Examination

December, 2015

MIR-039 : PLANT VARIETY PROTECTION

Time : 2 hours

Maximum Marks : 50

Note : *This paper consists of 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. **2x10=20**

1. *The Agreement on Trade - Related Aspects of Intellectual Property Rights, 1994* permits member States to protect its plant varieties by :
 - (a) Patent law only
 - (b) An effective *sui generis* system only
 - (c) Either patent law or an effective *sui generis* system
 - (d) Neither patent law nor a *sui generis* system
2. Selling of limited quantities of seeds for reproductive purposes refers to :
 - (a) Pedigree selection
 - (b) brown bagging
 - (c) pure line selection
 - (d) disarticulation

3. Conventional plant breeding can be considered to be :
- (a) Manipulation of a combination of chromosomes
 - (b) Developing crops by collective farming
 - (c) Producing high yielding varieties of seeds
 - (d) None of the above
4. Read the statement A and B given below and identify whether the statements are correct and whether any one is the explanation for the other.
- Statement A :* Each species is believed to originate through the forces of genetic variability and natural selection.
- Statement B :* Plant genetic diversity is threatened by 'genetic erosion'.
- (a) Both A and B are correct, and B is the correct explanation for A
 - (b) Both A and B are correct, and B is not the correct explanation for A
 - (c) A is correct and B is wrong
 - (d) A is wrong and B is correct
5. Which among the following varieties can be registered under the PPVFR Act, 2001 ?
- (a) New and Extant varieties
 - (b) Farmers' and essentially derived varieties
 - (c) Both (a) and (b)
 - (d) Neither (a) nor (b)
6. What is meant by 'SPS' ?
- (a) Sanitary and Phyto sanitary Measures Agreement
 - (b) Safety Purpose System Agreement
 - (c) Sanitary and Protection of Plants system Agreement
 - (d) None of the above

7. _____ refers to the use of scientific techniques, including genetic engineering, to improve or modify plants, animals, and microorganisms.
- (a) Hybridisation
 - (b) Biopiracy
 - (c) Biotechnology
 - (d) Brown bagging
8. Which of these is not a step involved in plant tissue culture ?
- (a) Initiation phase
 - (b) Flowering phase
 - (c) Multiplication phase
 - (d) Root formation phase
9. Plant Variety Protection and Farmers' Rights Act, 2001 covers all of the following except :
- (a) Asexually reproducing plants
 - (b) Microorganisms
 - (c) Plants used for ornamental purposes
 - (d) Seeds
10. The _____ focuses on exchange, purchase, sharing and other interactions involving seeds among farmer's communities.
- (a) Informal seed supply system
 - (b) Formal seed supply system
 - (c) Multiplication of seeds
 - (d) Crop - improvement

PART - B

Attempt **any three** questions from this part. Each question carries **10** marks. **3x10=30**

1. Discuss the *sui generis* protection of plant varieties under the Agreement for Trade - Related Aspects of Intellectual Property Rights.
 2. Write a note on Informal seed supply system in India.
 3. What are the main features of the Protection of Plant Variety and Farmers' Rights Act, 2001 ?
 4. What does the term 'trade secrets' mean ? Discuss the importance of trade secrets in plant variety protection.
 5. Elaborate on farmers' rights under the Indian law.
-