

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

Term-End Examination

December, 2015

**MIP-107 : TRADE SECRETS, COMPETITION LAW
AND PROTECTION OF TCE**

Time : 3 hours

Maximum Marks : 100

- Note :**
- (i) Answer **all** the questions from **Part - A**. Each question carries 2 marks.
 - (ii) Answer **any five** questions from **Part - B**. Each question carries 10 marks.
 - (iii) Answer **any two** questions from **Part - C**. Each question carries 15 marks.

PART - A

Explain briefly the followings. Each question carries 2 marks : **10x2=20**

1. Confidentiality agreements.
2. Misleading representation.
3. Passing off.
4. Competitiveness and economic development.
5. Vertical agreements.
6. Extra - territorial reach of the Competition Act, 2002.

7. Unreasonable restrictions in agreements.
8. Restraint of trade and IP licencing.
9. WIPO-UNESCO Model Provisions, 1982.
10. WIPO-Intergovernmental Committee.

PART - B

Attempt **any five** questions from this Part. Each question carries **10** marks : **5x10=50**

11. Analyse linkages between the protection of traditional cultural expressions and human rights issues.
12. Discuss the main features of the Convention on Biological Diversity, 1992.
13. Define unfair competition. How is it dealt with under Indian law ?
14. Discuss the rationale for the protection of test data.
15. Discuss the modes of protection of trade secrets.
16. Discuss the provisions of the Contract Act, 1972 which deal with the protection of confidential information.
17. Analyse the main objectives behind the competition law.
18. Explain with examples the concept of compulsory licencing.

PART - C

Attempt **any two** questions from this Part. Each question carries **15** marks : **2x15=30**

19. What are the anti-competitive agreements under the Competition Act, 2002 ? How far the intellectual property agreements are covered under the Act, 2002 ?
 20. Critically analyse the effect of globalization and technological advancement on the protection of Traditional Cultural Expressions (TCEs).
 21. Analyse the provisions of TRIPS Agreement relating to the trade secrets.
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