

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

Term-End Examination

December, 2016

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.

10x2=20

1. The informal seed supply system :
 - (a) Focuses on exchange, purchase, sharing and other interactions involving seeds among farmers communities.
 - (b) Means that the seed produced is more suitable and adapted for the farming conditions of each geographical location.
 - (c) Both (a) and (b).
 - (d) None of the above
2. Plant tissue culture does not involve which of the following phase ?
 - (a) Initiation phase
 - (b) Multiplication phase
 - (c) Root formation phase
 - (d) Flowering phase

3. The _____ can be transferred from one organism to another by transfer of DNA by adopting biotechnological methods.
- (a) Desirable genetic traits
 - (b) Plant variety
 - (c) Graon up seed of a plant
 - (d) None of the above
4. In _____, US Supreme Court held that "Living Organism" could be patented.
- (a) Diamond vs Chakrabarty
 - (b) Arizona vs US
 - (c) Marbury vs Madison
 - (d) None of the above
5. The Agreement on Trade - Related Aspects of Intellectual Property Rights, 1994 (TRIPS Agreement) permits its member states to use which of the following approach to protect its plant varieties ?
- (a) Patent law
 - (b) An effective *Sui generis* system
 - (c) Both patent law and an effective *Sui generis* system
 - (d) Doha Ministrial Declaration
6. Separation of the seed from the seed head refers to :
- (a) Replanting the seed
 - (b) Disarticulation
 - (c) Pedigree selection
 - (d) Polyploidy

7. To qualify as an "effective *Sui generis* system", any national plant variety protection law must :
- (a) be applicable to all plant varieties in all species and botanical genera.
 - (b) grant plant breeders an intellectual property right.
 - (c) provide 'national treatment' and 'most favoured nation' treatment to breeders from other W.T.O. members.
 - (d) all of the above
8. 'Ex situ' conservation pertains to :
- (a) gene bank storage
 - (b) growing of varieties in farmer's fields
 - (c) on - farm conservation
 - (d) none of the above
9. _____ are a special form of IPRs created to provide protection and credit to the seed industry.
- (a) Farmers Rights
 - (b) Plant Breeders Rights
 - (c) Patents Rights
 - (d) Protection of Traditional Knowledge
10. Which of the following Conventions provides for sovereign right of countries to exploit their own resources pursuant to their own environmental policies ?
- (a) Convention on Biological Diversity.
 - (b) International Convention for the Protection of new varieties of Plants.
 - (c) United Nations Convention on Environment.
 - (d) None of the above

PART - B

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

- 11.** Discuss the plant variety protection as available under TRIPS Agreement.
 - 12.** Discuss the importance of Informal seed supply system in India.
 - 13.** Explain in brief the salient features of Protection of Plant Variety and Farmer's Rights Act, 2001.
 - 14.** What do you mean by the term 'biosafety regulations'? Discuss the biosafety regulations as applicable in India.
 - 15.** Discuss the impact of plant variety protection on Indian economy.
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