

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

00067

Term-End Examination

June, 2016

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.*

10×2=20

1. The headquarters of the Indian Patent Office are situated in
 - (a) Mumbai
 - (b) Kolkata
 - (c) Chennai
 - (d) New Delhi

2. _____ has established a Centralised Semiconductor Integrated Circuits Layout Design Registry under the Semiconductor Integrated Circuits Layout Design Act.
- (a) Central Government
 - (b) State Governments
 - (c) State Government of Tamil Nadu
 - (d) State Government of Kerala
3. The Intellectual Property Appellate Board can hear appeals against the orders of the
- (a) Controller General of Patents and Designs
 - (b) Registrar of Copyrights
 - (c) Registrar of Trademarks
 - (d) Both (a) and (c)
4. The Copyright Board has which of the following powers under the Copyright Act ?
- (a) To hear appeals against the orders of the Registrar of Copyrights
 - (b) To hear applications for rectification of entries in the Register of Copyrights
 - (c) To adjudicate upon disputes on assignment of Copyrights
 - (d) All of the above

5. The Trade Marks Act, 1999 provides that the order of injunction may include an ex parte injunction or any interlocutory order for

- (a) discovery of documents
- (b) preserving of infringing goods
- (c) restraining the defendant from disposing
- (d) All of the above

6. Temporary Injunctions can be granted under what circumstances ?

- (a) If the property in dispute in a suit is in danger
- (b) If the defendant threatens, or intends to remove or dispose off his property
- (c) If the defendant threatens to dispose off the property or cause injury to the plaintiff
- (d) All of the above

7. Which of the following Agreements/Treaties 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

8. According to the Federal Trade Commission, the reverse payment settlements are unlawful, if
- (a) the reverse payment is substantial
 - (b) the generic challenger is unable to immediately enter the market with a competing product
 - (c) there is no proof of any motive for the payment
 - (d) All of the above
9. Application in form GI-1 is required to be enclosed with which of the following documents ?
- (a) A statement of case
 - (b) Details of special characteristics
 - (c) Details of the inspection structure
 - (d) All of the above
10. The application to the Registrar for registration of a layout design shall be made on
- (a) Form LD-1
 - (b) Form 2D
 - (c) Form 3D-1
 - (d) Form ED-1

PART B

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

11. Enumerate the powers of the Registrar of Trademarks under the Trade Marks Act, 1999.
 12. What are the provisional remedies under the TRIPS Agreement for infringement of IPRs ?
 13. Discuss the kinds of Intellectual Property Insurances.
 14. What is the test for determining Anti-Competitive Agreements ? Discuss.
 15. Is it difficult to prove infringement in IP litigations ? Discuss.
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