

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

00017

Term-End Examination

June, 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.*

10×2=20

1. How many criteria need to be satisfied for a plant variety to be eligible for protection under the UPOV Act, 1978 ?

- (a) Three
- (b) Four
- (c) Two
- (d) Five

2. In which of the following UPOV Acts, are the farmers not given the privilege to sell or exchange seeds with other farmers for propagating purposes ?
- (a) The UPOV Act, 1991
 - (b) The UPOV Act, 1978
 - (c) The UPOV Act, 1972
 - (d) Both the UPOV Act, 1991 and the UPOV Act, 1978
3. What does the term 'disarticulation' mean ?
- (a) Improperly articulating one's ideas about plants
 - (b) Separation of the seed from the seed head
 - (c) Replanting the seeds
 - (d) Harvesting the plant
4. Which landmark U.S. Supreme Court judgement held that 'living organisms' could be patented ?
- (a) Marbury vs Madison
 - (b) Diamond vs Chakrabarty
 - (c) Arizona vs U.S.
 - (d) Van Staphorst vs Maryland

5. Which among the following are the reasons for plant genetic erosion ?

1. Giving priority only to small number of crops
 2. Promoting hybridisation
 3. High degree of ignorance of genetic resources
- (a) 1 and 2 only
(b) 1, 2 and 3
(c) 1 and 3 only
(d) 2 and 3 only

6. The sum of all combinations of genes resulting from the evolution of plant species is called

- (a) Plant genetic resources
(b) Gene mutation
(c) Chromosomal aberration
(d) Gene bank

7. Which among the following varieties can be registered under the PPVFR Act, 2001 ?

1. New varieties
 2. Extant varieties
 3. Farmers' varieties
 4. Essentially derived varieties
- (a) 2, 3 and 4 only
(b) 1, 3 and 4 only
(c) 1 and 4 only
(d) 1, 2, 3 and 4

8. _____ refers to the use of scientific techniques, including genetic engineering, to improve or modify plants, animals and micro-organisms.
- (a) Hybridisation
 - (b) Biopiracy
 - (c) Biotechnology
 - (d) Brown bagging
9. Which of the following is **not** a variable involved in the informal seed supply system ?
- (a) Community groups
 - (b) Seed growers' associations
 - (c) Plant variety associations
 - (d) Farmer-to-farmer exchange
10. The maximum term of protection for trees and vines under the Protection of Plant Varieties and Farmers' Rights Act, 2001 is
- (a) 18 years
 - (b) 20 years
 - (c) 15 years
 - (d) 28 years

PART B

*Attempt any **three** questions from this part. Each question carries 10 marks.*

3×10=30

11. Discuss and compare the formal and informal seed systems.
 12. Discuss in detail the patenting trends in Biotechnology.
 13. Discuss the need and relevance of International Union for the Protection of New Varieties of Plants Conventions.
 14. How are plant genetic resources important for food security ? Discuss.
 15. Discuss the impact of plant variety IPRs on agricultural production.
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