

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

00113 Term-End Examination

June, 2017

**MIR-040 : INTERNATIONAL AND COMPARATIVE IP
LAW**

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 principle of trade policy that allows traders to trade across national boundaries without interference from their respective governments is known as
 - (a) Independent trade
 - (b) Free trade
 - (c) Interstate trade
 - (d) Trade between nations

2. _____ describes the phenomenon where authentic products are imported cheaply without the consent of the producer who has IPR in these products, with the aim to compete with the producer's own products that were originally marketed abroad.
- (a) Parallel import
 - (b) Smuggling
 - (c) Cheating
 - (d) Blurring
3. Which of the following is the correct statement ?
- (a) Colour marks and shape marks are classified as conventional trademarks.
 - (b) There cannot be a trademark based on a distinctive notion.
 - (c) Indian legislation explicitly lays down the need for marks to be graphically represented.
 - (d) Sound marks are not recognised by the Indian Trademark Office.
4. As per the Berne Convention, the expression 'literary and artistic work' shall include
- (a) Every production in the literary, scientific and artistic domain whatever may be the mode or form of expression.
 - (b) It includes books and pamphlets.
 - (c) It includes dramatic musical work.
 - (d) All of the above

5. Patent infringement can be
- (a) Direct patent infringement
 - (b) Indirect patent infringement
 - (c) Contributory patent infringement
 - (d) All of the above
6. Which of the following is least likely to be included under the strategy known as 'total product protection' that is adopted by pharmaceutical companies ?
- (a) Secondary patents
 - (b) Patent litigation
 - (c) Non-profit use
 - (d) Exclusivity over regulatory data
7. Who is the developer, custodian and right holder of traditional knowledge ?
- (a) Traditional Community
 - (b) Cultural Community
 - (c) Guardian of the Community
 - (d) Head of the Community

8. According to PCT, the 'priority period' is
- (a) 6 months
 - (b) 30 days
 - (c) 12 months
 - (d) 2 years
9. The illegal appropriation of life, micro-organisms, genetic resources and traditional knowledge is called
- (a) Infringement of patents
 - (b) Biopiracy
 - (c) Bio-utilization
 - (d) Evergreening
10. _____ is an important tool for patent examiners to search the appropriate literature resource while examining the novelty of any claimed patent application.
- (a) TKDL
 - (b) UDRP
 - (c) Patent search
 - (d) Traditional community

PART B

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

3×10=30

- 11.** Enlist the treaties relating to space laws. Discuss the concept of sovereignty in outer space.
 - 12.** How can traditional cultural expressions be protected under Copyright law ?
 - 13.** Discuss the relevance of parallel importation under Trademark law.
 - 14.** Discuss the consequences of evergreening of patents.
 - 15.** What do you mean by domain name ? How do domain name disputes arise and how can they be resolved ?
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