

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

Term-End Examination

June, 2017

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

Time : 3 hours

Maximum Marks : 100

Note : This question paper consists of three parts.  
Part - A, Part - B and Part - C. All parts are  
compulsory.

**PART - A**

Answer all questions from this Part. Each question  
carries two marks. 10x2=20

Answer in brief.

1. Secret information
2. Misleading representation
3. Vertical Agreements
4. Trade Secrets
5. Rationale of Competition Law
6. Anti-competitive agreements
7. Parallel import
8. Restraint on Trade and IP Licensing.

9. Cross-licensing
10. Competition Advocacy

**PART - B**

Answer **any five** questions from this Part.  
Each question carries **ten** marks. **5x10=50**

11. Discuss the characteristics of Traditional Cultural Expression (TCE). What is the subject matter covered under Traditional Cultural Expression ?
12. Discuss the joint efforts by WIPO and UNESCO in the protection of Traditional Cultural Expression.
13. Write a note on TCEs and Human Right issues.
14. Discuss the importance of 'Confidentiality agreements' in the protection of trade secrets.
15. Discuss the essentials of passing off action with the help of case law.
16. Distinguish between competition law and competition policy. What are the components of competition policy ? Discuss.
17. What is Compulsory licensing ? Explain the relevant provision under the Patents Act, 1970 in light of decision of Natco V Bayer.
18. Briefly describe various provisions in TRIPS Agreements related to the treatment of anti - competitive practices. How far these provisions provide flexibility for addressing the concerns of the developing nations ?

## **PART - C**

Answer **any two** questions from this Part.

Each question carries **fifteen** marks.

**2x15=30**

19. Describe the legislative framework for the protection of trade secrets in India. Also analyse the judicial approach in this regard.
  
  20. Analyse the approach of the Supreme Court of India on the restrictive clauses in the contracts of employment.
  
  21. Describe the legal framework against unfair competition in India.
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