

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

Term-End Examination

June, 2018

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

Time : 3 hours

Maximum Marks : 100

Note : This paper consists of three parts. All parts are compulsory.

PART - A

Write notes on the following in about 50 words.

Each question carries 2 marks.

10x2=20

1. Confidentiality agreements.
2. Misleading representation.
3. Passing off.
4. Competitiveness and economic development.
5. Vertical agreements.
6. Extra-territorial reach of the Competition Act, 2002.
7. Unreasonable restrictions in agreements.

8. Restraint of trade and IP licencing.
9. WIPO UNESCO Model Provisions, 1982.
10. WIPO-Intergovernmental Committee.

PART - B

Attempt any five questions in about 300 words.

Each question carries 10 marks.

5x10=50

11. Define trade secret. Distinguish it from the confidential information.
12. With the help of decided cases, analyse the approach of the Supreme Court of India on the restrictive clauses in the contracts of employment.
13. Enumerate the objectives of the competition law. How it promotes innovation and competitiveness ?
14. Give a description of the authorities under the Competition Act, 2002.
15. With examples, explain the concept of intellectual property induced dominance.
16. Define Traditional Cultural Expression. What is the rationale behind its protection ?
17. Discuss the contribution made by the UNESCO in the field of protection and promotion of cultural heritage and cultural diversity.
18. Write a note on the Creative Heritage Project.

PART - C

Attempt any two questions in about 450 words.

Each question carries 15 marks.

2x15=30

19. Critically analyse the various legal and policy issue identified by the IGC, WIPO which need to be resolved while devising the framework for protection to the Traditional Cultural Expressions (TCEs).
 20. Briefly describe the various provisions in the TRIPS relating to the treatment of anti competitive practices. How are these provisions provide flexibility to address the concerns of developing countries ?
 21. Describe the legislative framework for the protection of trade secrets in India. Also analyse the judicial approach in this connection.
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