

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

Term-End Examination

June, 2015

00370

MIR-034 : PATENTS

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. An opposition proceeding is heard and decided by the _____ .
 - (a) Controlller General of Designs
 - (b) Controller General of Patents, Designs and Trade Marks
 - (c) Registrar of Copyrights
 - (d) Controller General of Geographical Indications

2. The headquarters of the Indian Patent Office is in _____ .
- (a) Kolkata
 - (b) Mumbai
 - (c) Chennai
 - (d) Delhi
3. When can prior art be claimed ?
- (a) When the earlier claim lies wholly within the area of the later claims.
 - (b) When the areas of the earlier and the later claims overlap.
 - (c) When the earlier claim is broader than later claims and includes the area covered by it.
 - (d) All of the above
4. Name the types of patent searches available.
- (a) Quick search, advance search and patent number search
 - (b) Boolean search, case search
 - (c) Proximity operator search
 - (d) Citation analysis, key patent search
5. The full form of 'IPAB' is
- (a) The International Patent Association for Business
 - (b) The Indian Patent Appellate Board
 - (c) The Intellectual Property Appellate Board
 - (d) The Intellectual Property Association for Business

6. The case of *Raj Prakash vs Mangal Ram Choudhary* deals with
- (a) Patent Infringement
 - (b) Patent Registrsation
 - (c) Parallel Import
 - (d) Patent Opposition
7. What are the principal features of the Paris Convention, 1883 ?
- (a) Right of Priority
 - (b) National Treatment
 - (c) Protection against Unfair Competition
 - (d) All of the above
8. Under what situation can an application be filed under the Patent Co-operation Treaty ?
- (a) Where the patentee wants to protect his invention in several countries.
 - (b) Where the patentee wants the restoration of priority rights, which may have been lost under certain conditions.
 - (c) Where the patentee wants evergreening of his patent.
 - (d) None of the above

9. What is meant by 'Megadiverse Countries' ?
- (a) Countries rich in biological diversity and associated traditional knowledge
 - (b) Countries with maximum number of patent claims
 - (c) Countries that have introduced measures to protect biological reserves
 - (d) Both (b) and (c)
10. Which of the following is *not* a defence with respect to biotechnological inventions ?
- (a) The Innocent Bystander's defence
 - (b) Farmers Rights defence
 - (c) Ordre Public defence
 - (d) Experimental defence

PART B

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

3×10=30

11. Write a note on subject matters that cannot be patented.
 12. Discuss the efforts at international level for the legal protection of Plant genetic resources.
 13. Explain 'Right of Priority' with special emphasis to Paris Convention.
 14. What do you mean by patent specification ? Distinguish between provisional and complete specification.
 15. What is compulsory licensing ? Discuss the scope of compulsory licensing in the context of developing countries.
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