

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

Term-End Examination

June, 2015

00470

MIR-036 : ADVANCED IP ISSUES

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. Which of the following terms best describes a government allowing a third party to produce the patented product or process without the consent of the patent owner ?
 - (a) Intellectual Property Permission
 - (b) Reproduction License
 - (c) Compulsory License
 - (d) Both (b) and (c)

2. Which of the following terms best describes a situation where “if accrued in significant numbers, IP protections (such as patents or copyrighted materials) in a particular discipline or field of study might impede the advancement of scientific research and prevent beneficial innovations from arising” ?
- (a) Tragedy of anti-commons
 - (b) Tragedy of commons
 - (c) Both (a) and (b)
 - (d) Neither (a) nor (b)
3. Which of the following is *not* an International Convention relating to the Copyright of music recordings ?
- (a) Phonograms Convention
 - (b) Rome Convention
 - (c) Berne Convention
 - (d) International Convention on Sound Recordings
4. Which was the first drug to use recombinant DNA technology ?
- (a) Human insulin
 - (b) Human adrenaline
 - (c) Human thyroid
 - (d) Human pheromone

5. Which of the following is *not* an American enactment associated with data protection ?
- (a) Federal Food, Drug and Cosmetic Act, 1997
 - (b) American Data Protection and Services Act, 1999
 - (c) Hatch-Waxman Act, 1984
 - (d) Price Competition and Patent Term Restoration Act, 1984
6. The case of R. Raj Gopal vs State of Tamil Nadu and PUCL vs Union of India are primarily associated with
- (a) The Right to Information
 - (b) The Right to Freedom of Speech and Expression
 - (c) The Right to Privacy
 - (d) The Right to Technology
7. Which of the following provides for protection for integrated circuits ?
- (a) OPEC
 - (b) IPIC
 - (c) EPEC
 - (d) APEC

8. Revelation of Trade Secrets is most commonly seen in which of the following ?
- (a) Blue Collar offices
 - (b) Family run businesses
 - (c) Employer – employee relationship
 - (d) All of the above
9. Which of the following doctrines deals with situations where there has been a disclosure made as a result of an employment relationship and the information so disclosed has been utilized by the competitor to the disadvantage of the owner of the confidential information ?
- (a) Springfield Doctrine
 - (b) Springboard Doctrine
 - (c) Nutshell Doctrine
 - (d) Nutcracker Doctrine
10. Which of the following statements is *true* in relation to the utility of trademarks ?
- (a) They assist in building brand equity.
 - (b) They help sustain product differentiation.
 - (c) They create additional investment opportunities through licensing.
 - (d) All of the above

PART B

Attempt any **three** questions from this part. Each question carries 10 marks. 3×10=30

11. Critically analyze the protection provided for integrated circuits under the Agreement on the Trade-Related Aspects of Intellectual Property Rights and Treaty on Intellectual Property in Respect of Integrated Circuits.
 12. Do Indian Courts protect the Trade Secrets ? Referring to the case law in relation to the Spring Board doctrine, explain the Judicial approach.
 13. Critically examine the debates surrounding the political economy of a Patent System.
 14. Briefly explain the advantage of Patent Co-operation Treaty and also discuss the rights conferred by it.
 15. How is software patenting legally implemented in India and Brazil ?
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