

**POST GRADUATE CERTIFICATE IN  
PATENT PRACTICE**

**Term-End Examination**

**December, 2011**

**MIR-023 : INDIAN PATENT LAW AND  
PROCEDURES**

*Time : 3 hours*

*Maximum Marks : 100*

- Note :* (i) *Answer all the questions from Part-A.  
Each question carries 2 marks.*
- (ii) *Answer any five questions from Part-B.  
Each question carries 10 marks.*
- (iii) *Answer any two questions from Part-C.  
Each question carries 15 marks.*

**PART - A**

1. Answer the following and ensure that the answer is brief. 10x2=20
- (a) Define Standard Patent.
- (b) What do you mean by patent of addition ?
- (c) Define inventive step under Indian Patent Act 1970.
- (d) What do you mean by revocation of patent in public interest ?
- (e) What are the rights of patent agents ?
- (f) Define prior claiming.

- (g) What do you mean by (Patent Cooperation Treaty ) PCT ?
- (h) Who can file an International Patent Application and where it can be filed ?
- (i) Explain evergreening of patents.
- (j) What is termination gene ?

## PART - B

2. Answer *any Five* questions from this part. 5x10=50
- (a) Explain various types of infringement of patent.
  - (b) Explain the salient features of Intellectual Property Appellate Board (IPAB).
  - (c) Explain technology transfer with the help of practical examples.
  - (d) Explain harmonization of patent laws among regions/countries.
  - (e) Explain post-grant oppositions.
  - (f) Explain the doctrine of pith and morrow.
  - (g) Explain compulsory licenses. Under
    - (i) TRIPS agreement
    - (ii) Doha declaration.
  - (h) What do you mean by abuse or misuse of patent right ?

### PART - C

3. Answer *any two* of the following questions. 2x15=30
- (a) Explain the general procedure for filing patent application under PCT.
  - (b) What is complete specifications ? How is it different from provisional specification ? Discuss.
  - (c) Discuss evolving conditions of patentability.
  - (d) Critically examine the provision relating to benefit sharing under the Biological Diversity Act.
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