

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

Term-End Examination

December, 2011

**MIP-007 : ENFORCEMENT OF INTELLECTUAL
PROPERTY RIGHTS**

Time : 2 hours

Maximum Marks : 50

1. Attempt *any five* parts : 5x2=10
- (a) Explain two grounds for infringement of registered trademarks.
 - (b) What is meant by "delivery up" in the context of relief in case of infringement of IPR ?
 - (c) Discuss at least two technological measures in preventing and detecting infringed goods.
 - (d) What are the main objectives under TRIP Agreement for protection of IPRs ?
 - (e) What are the powers of Police under the Copy Right Act 1957 in relation to seizure of infringed goods ?
 - (f) What is the role of mediator in WIPO Arbitration and Mediation Centre ?

2. Attempt *any three* parts :

3x5=15

- (a) Discuss the various measures suggested by International Trademarks Association Special Report 2004 in combating counterfeiting.
- (b) Discuss in brief the proceedings of conciliation under Indian Arbitration and Conciliation Act 1996.
- (c) Discuss in brief the infringing acts during the manufacture of patented products with exception.
- (d) How is mediator appointed and how does he conduct the mediation procedure in WIPO Arbitration and Mediation Centre ?

3. Attempt *any two* parts :

2x5=10

- (a) What are the remedies available under TRIPs Agreement for infringement in specific IP instruments ?
- (b) Discuss in brief, implication of counterfeiting.
- (c) What are the main functions being performed by WIPO mediation and Arbitration centre with respect to the conduct of the dispute resolution procedures ?

4. Attempt *any three* parts : 3x5=15

- (a) What is meant by "Apply a trademark or trade description to goods and services". ? Explain with reference to various acts being performed by the owner.
 - (b) Explain the provision under TRIPs Agreement for the protection of Geographical Indication. Explain the provision for the protection of homonymous GI.
 - (c) What is the composition of Arbitral Tribunal under the Indian Arbitration and Conciliation Act 1996 ? What are the grounds for challenging his appointment ?
 - (d) What are the preliminary relief available as civil remedies in IPR infringement action in India ?
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