

POST GRADUATE CERTIFICATE IN PATENT PRACTICE

ASSIGNMENTS

Jan/July 2021

Course Code: MIR-021, MIR-022 and MIR-023



**SCHOOL OF LAW
INDIRA GANDHI NATIONAL OPEN UNIVERSITY
MAIDAN GARHI, NEW DELHI – 110 068**

Dear Student,

The Post Graduate Certificate in Patent Practice Programme comprises of four compulsory courses. You will have to do one Tutor Marked Assignment (TMA) for three courses. The last course is a project for which you need to submit a project work for evaluation. Details of it is provided in the Programme Guide. The assignment is compulsory for successfully completing a course. The assignment for a course covers all the units of the concerned course.

It is important that you write the answers to all the assignment questions in your own words. Your answers should be in the range of word-limit set for a particular question. In the case of numerical question word limits do not apply.

Submission: the completed assignments should be submitted to the **Coordinator of your Study Centre** on or before **March 30th, 2021 for January session** and **September 30th, 2021 for July session**. You must obtain a receipt from the Study Centre for the assignments submitted and retain it. If possible, keep a photocopy of the assignments with you.

The Study Centre will have to return the assignments to you after they are evaluated. Please insist on this. The Study Centre has to send the marks to the SR&E Division at IGNOU, New Delhi. These will be entered in your Grade Card.

Guidelines for Doing Assignments

Before attempting the assignments please read the detailed instructions provided in the Programme Guide sent to you separately.

You will find it useful to keep the following points in mind while writing the assignments:

- a) **Planning:** Read the assignments carefully, go through the units on which they are based. Make some points regarding each question and then rearrange them in a logical order.
- b) **Organisation:** Be a little selective and analytic before drawing up a rough outline of your answer. In an essay type question, give adequate attention to your introduction and conclusion. The introduction must offer your brief interpretation of the question and how you propose to develop it. The conclusion must summaries your to the question.

Make sure that your answer:

- It logical and coherent;
- Has clear connections between sentences and paragraphs, and
- Is written correctly giving adequate consideration to your expression, style and presentation.

TUTOR MARKED ASSIGNMENT

MIR-021: Overview of Intellectual Property Rights

Course Code: MIR-021

Assignment Code: MIR-021/TMA/2021

Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 3** of the course.
- All questions are compulsory.
- Please answers in your **own words**; do not copy from the course material.
- **Answer any Ten questions**

(10×10= 100)

1. How does the present IP system strike a balance between the rights of an inventor and the rights of other individuals and the Society in general?
2. What is Domain name? How do domain name dispute arise? Discuss in detail.
3. Discuss various stages involved in the processing of an application for acquisition of a patent for an invention. Discuss the scope if any for bringing down the cost for acquiring a patent.
4. Write a note on WIPO Internet domain name dispute resolution.
5. Explain counterfeiting and piracy in detail. What are the economic and social consequences of counterfeiting and piracy?
6. What do you understand by Prior Informed Consent? When this consent is required to be obtained and for what purpose?
7. How does the Fence Post approach differ from the pith and Marrow approach I determining the scope of the claims in a patent infringement case?
8. What is defensive mechanism of protection of TK? Give one example of defensive mechanism of protection of TK?
9. How will autonomy and financial independence help an IPO, considering that it has to function within the policy framework given by the national government? Why cannot an IPO be completely free of government's control?
10. Remedies available in case of IPR infringement?
11. Discuss the role of IP Appellate Board.
12. Discuss the criminal remedies for Intellectual Property infringements.

TUTOR MARKED ASSIGNMENT

MIR-022: International Framework for Patent Protection

Course Code: MIR-022

Assignment Code: MIR-022/TMA/2021

Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 3** of the course.
- All questions are compulsory.
- Please answers in your **own words**; do not copy from the course material.
- **Answer any Ten questions**

(10×10= 100)

1. What do you understand by the national treatment with reference to the Paris Convention?
2. What is the provision concerning the compulsory licensing of patents?
3. What is WTO? In what respects it is an improvement over its predecessor the GATT. Discuss.
4. Why does the world need WIPO? Discuss the structure and organization WIPO? Discuss the role and initiatives of the WIPO in enforcement of IPR and resolution of disputes.
5. What are the special requirements related to Border measures as laid down under TRIPS Agreement?
6. What is the WTO? How is it different from its predecessor GATT? Discuss the basic trading principles which are the bed-rock of all WTO agreements.
7. Discuss the role of World Customs Organization in combating IPR crime. Explain the efforts made for combating counterfeiting.
8. The role of Interpol in addressing the Intellectual property crime enforcement issues.
9. How do the provisions I CBD and IU compare with regard to biotechnology intellectual property?
10. Biotechnology patents have diluted the patenting norms. Comment.
11. How do the provisions I CBD and IU compare with regard to biotechnology intellectual property?
12. What difficulties arise due to strong inter-relation of hardware-software compatibilities in case of computers?

TUTOR MARKED ASSIGNMENT

MIR-023: Indian Patent Law and Procedures

Course Code: MIR-023

Assignment Code: MIR-023/TMA/2021

Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 3** of the course.
 - All questions are compulsory.
 - Please answers in your **own words**; do not copy from the course material.
 - **Answer any Ten questions**
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(10×10= 100)

1. Explain the inventions that may be patented and the ones that may not be patented with reasons?
2. What is a patent specification, what are the different parts of it?
3. Explain the term 'complete specification'. List out the differences between complete specification and provisional specification.
4. What are the questions that determine the various infringement issues of any valid patent? Elaborate with cases.
5. Critically examine the provisions relating to benefit sharing under the Biological Diversity Act.
6. What is Benefit Sharing? Explain the provisions for Benefit Sharing by NBA in Biodiversity Act of India
7. Discuss the different methods of revocation available under the Indian patent Act, 1970.
8. Write a note on Traditional Knowledge.
9. Different types of patent infringement.
10. Discuss the provisions laid down in TRIPS relating to Patentability of invention.
11. What are the questions that determine the various infringement issues of any valid patent. Elaborate with cases.
12. Mention the procedure of PCT filing.