

POST GRADUATE CERTIFICATE IN PATENT PRACTICE

ASSIGNMENTS

Jan/July 2023

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, 2023 for January session** and **September 30th, 2023 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/2023

Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 4** 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 many categories of IPRs are recognized in the TRIPS Agreement? Briefly discuss each one of them.
2. 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?.
3. Discuss the Appeal Mechanism available in India in relation to various IPRs.
4. What is a Domain Name? How do domain name disputes arise? What role does WIPO play in the resolution of domain name disputes?
5. How does patent system contribute to technology development?
6. Discuss the economic and social consequences of counterfeiting and piracy.
7. What is the test evolved by Holmann J. to decide whether a variant infringes an invention?
8. What do you mean by alternative dispute resolutions? Discuss the role of WIPO in disputes settlement.
9. Discuss the role of IP Appellate Board.
10. Discuss the criminal remedies for Intellectual Property infringements.
11. What is defensive mechanism of protection of TK? Give one example of defensive mechanism of protection of TK.
12. What do you understand by Prior Informed Consent? When this consent is required to be obtained and for what purpose?

TUTOR MARKED ASSIGNMENT

MIR-022: International Framework for Patent Protection

Course Code: MIR-022

Assignment Code: MIR-022/TMA/2023

Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 4** 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. Discuss briefly the scope of industrial property.
3. Discuss the advantages of PCT for the applicant, the patent offices and general public.
4. What is the mission of the WIPO? How have WIPO activities expanded over years? Discuss the present activities of the WIPO.
5. Describe the three main features of 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. What are the general obligations for the enforcement procedures of intellectual property rights? Discuss the Civil and administrative procedures related to the enforcement and their remedies.
8. Explain the role of Interpol in combating IPR crime.
9. How do the provisions I CBD and IU compare with regard to biotechnology intellectual property?
10. What difficulties arise due to strong inter-relation of hardware-software compatibilities in case of computers?
11. Biotechnology patents have diluted the patenting norms. Comment.
12. What are the issues raised by patenting of onco-mouse?

TUTOR MARKED ASSIGNMENT

MIR-023: Indian Patent Law and Procedures

Course Code: MIR-023

Assignment Code: MIR-023/TMA/2023

Maximum Marks: 100

Note:

- This assignment is based on **Block 1 to 4** 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. Explain the inventions that may be patented and the ones that may not be patented with reasons?
2. Discuss the procedures for filing a patent in India?
3. Mention the pre requisites for obtaining compulsory license.
4. What are the ways of filing an application to obtain a patent?
5. How do patent examiners conduct a patent search?
6. What is a patent specification, what are the different parts of it?
7. What are the different types of infringement? Explain.
8. What are the questions that determine the various infringement issues of any valid patent. Elaborate with cases.
9. Write a note on Traditional Knowledge.
10. What is Benefit sharing? Explain the provisions for Benefit Sharing by NBA in Biodiversity Act of India.
11. Mention the procedure of PCT filing.
12. Write a note on Traditional Knowledge.