

**Assignment Booklet -1**

**POST GRADUATE DIPLOMA IN  
INTELLECTUAL PROPERTY  
RIGHTS REVISED**

**(PGDIPR)**

**Jan/July, 2014**

**Tutor Marked Assignments (TMA)**

**For**

**MIP-101 to MIP 104**



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

Dear Student,

This booklet contains the assignments for MIP-101 to MIP-104

. Each course has one assignment, which you need to complete and send to your study centre before **April 30, 2014 for students enrolled for January, 2014 session and October 31<sup>st</sup>, 2014 for students enrolled for the July, 2014 session..** Please note that, you will not be allowed to appear for the Term End Examination for the course, the assignments of which are not submitted before the due date.

The assignments constitute the continuous component of the evaluation process and have 30% weight age in the final grading. You need to score 40% marks in assignment for each course in order to clear the continuous evaluation component.

### Instructions for Formatting Your Assignments

- 1) You should specify clearly on the first page of all your assignment responses the course code, course title, assignment code, your enrollment number, name and address in the given format:

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Enrolment no: .....  
Name: .....  
Address: .....  
.....

Course Code:.....  
Course Title: .....  
Assignment Code.....  
Regional Centre Code:.....  
Study Centre Code:..... Date:.....

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PLEASE FOLLOW THE ABOVE FORMAT STRICTLY TO FACILITATE EVALUATION AND TO AVOID DELAY.

- 2) The Assignment Response should be hand-written and use only A-4 or foolscap size writing paper (but not of very thin variety) for writing your answers.
- 3) Leave at least 4 cm margin on the left, top and bottom of your answer sheet for the evaluator's comments.
- 4) Your answers should be brief, precise and in you own words. **Please do not copy the answers from the study material.**
- 5) A serious action will be taken if any attempt to copy the Assignment Response from other student is done.
- 6) While solving the questions, clearly indicate the question number along with the part being solved. Recheck your work before submitting it.
- 7) This assignment will remain valid for **one year**. However, you are advised to submit it **within eight weeks** of receiving this booklet to accomplish its purpose as a teaching-tool.

We recommended that you retain a copy of your assignment response to avoid any unforeseen situation.

Our best wishes for your studies.

**Programme Coordinator  
PGDIPR**

## TUTOR MARKED ASSIGNMENT

### MIP-101: General Introduction to Intellectual Property Rights

Course Code: MIP-101 Assignment  
Code: MIP-101/TMA/2014 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.

The question paper is divided into two parts: Part A and Part B. **Answer any four questions from Part A and any four questions from Part B.**

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#### Part A

15x4=60

1. Explain elaborately the Concept of Property. Discuss the different Theories of Property.
2. Discuss the different Theories of Intellectual Property Rights.
3. Discuss the influence of Patent Right in the development of economy.
4. Write a note on International Conventions on Copyright.
5. Discuss the Provisions of Paris Convention for the Protection of Industrial Property.
6. What is meant by Classification Treaties? Discuss elaborately.

#### Part B

10x4=40

7. What are rights? Explain the characteristics of a legal right.
8. What is meant by Harmonization of Intellectual Property Rights? Discuss.
9. How does intellectual property influence technology and law?
10. Write a note on Treaties on Copyright and Related Rights.
11. What are Well-Known Trademarks? Explain the Concept of Independence of Trademarks.
12. Define Plant Variety. What are the requirements for the protection of new Plant Varieties?

# TUTOR MARKED ASSIGNMENT

## MIP-102: Patent

Course Code: MIP-102  
Assignment Code: MIP-102/TMA/2014  
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.

The question paper is divided into two parts: Part A and Part B. **Answer any four questions from Part A and any four questions from Part B.**

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### Part A

15x4=60

1. Define Patents. What are the basic elements of Patentability in an invention? What can be patented? Discuss.
2. When a Patent can be revoked? Discuss the different types of revocation. Also explain the grounds for revocation of Patent?
3. What is infringement of Patent? Discuss the different type of infringement.
4. Explain elaborately the process of filing a patent in India and Abroad.
5. Explain the salient features of Intellectual Property of Appellate Board.
6. Discuss the qualification of Chairman and Vice-Chairman of IPAB.

### PART B

10x4=40

7. Define 'Claim'. Distinguish between Provisional and Complete Specifications. Discuss the different type of Patent Searches.
8. Write a note on Patent Commercialization Vs Product Marketing.
9. Explain Post-Grant Opposition.
10. Discuss the relief or remedy for a Patent Infringement.
11. Write a note on the powers of Controller General of a Patent Office.
12. Discuss the procedure of Filing an application for Patent within India.

## TUTOR MARKED ASSIGNMENT

### MIP-103: Industrial Designs and Layout designs of Integrated Circuits and Utility Models

Course Code: MIP-103 Assignment  
Code: MIP-103/TMA/2014 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.

The question paper is divided into two parts: Part A and Part B. **Answer any four questions from Part A and any four questions from Part B.**

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#### Part A

15x4=60

1. Define Industrial Design with examples. Write a note on fundamental concepts of legal system for the Protection of Industrial designs.
2. What is meant by Copyright Design? Explain licensing of design rights.
3. What are the remedies available in the Design act 2000 for infringement of designs? Illustrate with examples.
4. Explain the procedure for registration of design.
5. Enumerate the key provisions for scope of Protection of Integrated Circuit (IC\_ as Intellectual Property Rights as per TRIPS.
6. What do you understand by Utility model? What are the advantages of utility model protection?

#### Part B

10x4=40

7. Write short notes on (i). Classification of IC (ii) Fabrication of IC
8. Enumerate the criteria for protection of chip lay out design. Write short notes on Infringement of Layout Design.
9. Explain the three categories of Inventive step requirement followed for Utility model protection
10. Enumerate the significance of Utility Model Protection and explain the benefits acquired by utility model protection.
11. What are the benefits perceived through Utility Model Protection? Please cite relevant examples.
12. Citing the International experiences enumerate the limitations of the Utility Model Protection?

# TUTOR MARKED ASSIGNMENT

## MIP-104: Trademarks, Domain Names

Course Code: MIP-104  
Assignment Code: MIP-104/TMA/2014  
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.

The question paper is divided into two parts: Part A and Part B. **Answer any four questions from Part A and any four questions from Part B.**

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### Part A

15x4=60

1. Define Trademarks. What are the different types of Trademarks? Also discuss the functions of Trademarks.
2. Describe the procedure for registration of trade marks. Discuss the absolute grounds for refusal of trade mark registration?
3. Define well known Trademarks. Discuss the International System of Protection of well known Trademarks.
4. What is meant by Infringement of Trademarks? Explain. Discuss the Remedies available.
5. What is meant by Domain Names? Explain the process of Domain Name Registrations.
6. Define Geographical Indications. Show by a flow diagram along with timelines the opposition procedure during GI Application prosecution.

### Part B

10x4=40

7. What do you understand by licensing? What are the legal formalities that are required to be complied with for effecting a trade mark license?
8. Explain the concept of distinctiveness in the context of Trademark. Give examples.
9. Define Collective Mark and Certification mark. How is a collective mark different from a Trademark?
10. Explain the salient features of In Domain Name Dispute Resolution Policy” (INDRP).
11. Discuss the Civil and Criminal actions that can be taken against an Infringer of Registered GI.
12. Discuss the process of Registration of Geographical Indications.

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

**Jan/ July, 2014**

**Tutor Marked Assignments (TMA)**

**for**

**MIP-105 to MIP 108**



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

Dear Student,

This booklet contains the assignments for MIP-105 to MIP-108. Each course has one assignment, which you need to complete and send to your study centre before **October 31, 2014 for student enrolled for January, 2014 session, and before March 31<sup>st</sup>,2015 for students enrolled for the July, 2014 session**. Please note that, you will not be allowed to appear for the Term End Examination for the course, the assignments of which are not submitted before the due date.

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Our best wishes for your studies.

**Programme Coordinator**





## TUTOR MARKED ASSIGNMENT

### MIP- 105: Copyright

Course Code: MIP-105  
Assignment Code: MIP-105/TMA/2014  
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.

The question paper is divided into two parts: Part A and Part B. **Answer any four questions from Part A and any four questions from Part B.**

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#### Part A

15x4=60

1. Define Copyright. Explain the different kinds of works covered by copyright.
2. Discuss author's special rights in India. Elaborate on the right of reproduction in a literary work.
3. Reflect on the economic impact of copyrights on India's national economy. Examine what would happen if copyright is a permanent right.
4. What are the special provisions regarding reproduction of a sound recording and computer programmes in the matter of copyright?
5. What is copyright piracy? Discuss the obligations of member countries of Berne convention in regard to copyright infringement?
6. What are the civil remedies available for author's special rights? Define punitive damages and why courts are awarding the same?

#### Part B

10x4 = 40

7. What is the definition of phonogram in the Rome convention? Discuss the rights provided to producers of phonograms in the Rome Convention?
8. What are the powers of Copyright Board?
9. Write a paragraph on Offences and penalties with reference to sound recordings?
10. Define Broadcast. What are the Rights of Broadcasting Organization?
11. Define Performer's Right under the Copyright Act. Discuss in detail the Performer's Right.
12. What is the provision in the Copyright Act regarding registration? Discuss the arguments against mandatoriness of copyright registration in India?

## TUTOR MARKED ASSIGNMENT

### MIP-106: Plant varieties, Protection and Biodiversity and Traditional Knowledge

Course Code: MIP-106  
Assignment Code: MIP-106/TMA/2014  
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.

The question paper is divided into two parts: Part A and Part B. **Answer any four questions from Part A and any four questions from Part B.**

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#### Part A

15x4=60

1. Define Plant Variety? Write a note on Origin of Plant Breeding and Crop Improvement.
2. Discuss the? Bio safety issues with respective plant genetic resources.
3. Discuss elaborately the requirements for protection of new plant varieties.
4. What are the requirements for DUS testing?
5. Discuss the strategies for enforcing plant breeders rights.
6. Write a note on Plant Genetic Resources and Intellectual Property Rights.

#### Part B

10x4=40

7. Enumerate the significance of traditional knowledge. Why should traditional knowledge be protected?
8. Write notes on
  - (i) World Intellectual Property Organization.
  - (ii) World Trade Organization.
9. Write a note on Life Patents in India and Europe.
10. What is the Composition of protection of plant varieties and farmer's right authority?
11. Write a note on Plant Genetic Resources for food and agriculture.
12. Write a note on Tradition Knowledge Digital

## TUTOR MARKED ASSIGNMENT

### MIP-107: Trade Secrets, Competition Law and Protection of TCE

Course Code: MIP-107 Assignment  
Code: MIP-107/TMA/2014 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.

The question paper is divided into two parts: Part A and Part B. **Answer any four questions from Part A and any four questions from Part B.**

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#### Part A

15x4=60

1. What is a Trade Secret? Discuss the rationale and significance of Protection of Trade Secrets?
2. Describe the relationship between unfair competition and undisclosed information as stated respectively in Article 10bis of the Paris Convention and Article 39 of the TRIPS Agreement.
3. Distinguish between competition law and competition policy. What are the components of competition policy? How intellectual property law interacts and affects the competition policy?
4. What are anti-competitive agreements under the Competition Act? How far the agreements related to intellectual property are covered under the provisions of the Competition Act
5. Explain the meaning of the term TCEs. Discuss the characteristics of TCEs.
6. Write a note on Documentation of TCEs.

#### Part B

10x4=40

7. Discuss the legislative framework on the protection of trade secrets in India and the main thrust of the judicial approach.
8. Discuss the essentials of passing off action with the help of case law as laid down by courts in trademark cases.
9. Write a note on the initiatives taken by WIPO for the Protection of TCEs..
10. Discuss general guiding principles of the WIPO-IGC.
11. Briefly write about the authorities established under the Competition Act, 2001 in India.
12. What do you understand by intellectual property induced dominance? Explain with an example of abuse of such dominance.

## TUTOR MARKED ASSIGNMENT

### MIP-108: Contemporary Intellectual Property Issues

Course Code: MIP-108  
Assignment Code: MIP-108/TMA/2014  
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.  
The question paper is divided into two parts: Part A and Part B. **Answer any four questions from Part A and any four questions from Part B.**

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#### Part A

**15x4=60**

1. Describe the Concept of IP management. Explain the Importance of intellectual property assets.
2. Explain Utilitarianism and Non- utilitarianism theory of IPRS.
3. Explain the importance and reasons for evaluating IP.
4. Why valuation of patent is necessary? What are the most popular methods of Patent Evaluation?
5. Discuss the purpose and benefits of a Patent Portfolio.
6. Define Standards. What is the purpose and benefits of Standardization?

#### Part B

**10x4=40**

Differentiate between invention and innovation.

7. Discuss the conception of idea. What are the stages involved in mind to Patent?
8. What is sole license and how it is different from exclusive license?
9. What are the key areas of IP Audit?
10. Explain the relationship of innovations with industry and society?
11. Define Open Source. Examples of Open Source soft ware products.