

**Assignment Booklet -1**

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

**2016**

**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, 2016 for the students of January session and October 31, 2016 for the students of July 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: .....

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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 your 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/2016  
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.**

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**10 x 10= 100**

1. Explain Property Rights. How is Intellectual Property different from Corporeal or Real Property?
2. Explain the different kinds of property. Distinguish between Corporeal property and Incorporeal Property.
3. Explain the characteristics of a legal right. Distinguish between Perfect and Imperfect Rights.
4. Discuss the relationship between TRIPS Agreement and IPR Laws in India
5. Traditional knowledge is an effective tool for economic project. Elucidate.
6. Discuss the importance of intellectual property in the international Trade.
7. How does intellectual property influence technology and laws? Discuss also the emerging areas of IP.
8. Write a note on the evolution of copyright laws. Discusses the Rights included in the copy right.
9. Write a note on the Indian Copy right Board.
10. What are the different types of Patent? Explain utility model patent.
11. What is bio-piracy? How does it affect the interests of developing countries?
12. Write a note on the International Conventions on copy right.
13. Write a note on TRIPS agreement 1994.
14. Discuss the salient features of Protection of Plant variety and Farmers Rights Act.
15. Write short notes or
  - a) Service Marks
  - b) Collective marks

**TUTOR MARKED ASSIGNMENT  
MIP-102:**

Course Code: MIP-102  
Assignment Code: MIP-102/TMA/2016  
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.**

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**10x10= 100**

1. Explain the inventions that may be patented and the ones that may not be patented with reasons.
2. Discuss in detail the procedure for filing a patent in India.
3. What is the Patent Co-operation Treaty? Explain.
4. Discuss the powers of the controller general of patents.
5. What are the main objectives of a patent search? How is it useful for development of a technology in a particular field?
6. What is a patent specification? What are its different parts? Explain.
7. Explain the process of drafting a patent specification.
8. What are the different types of infringement of patents? Explain.
9. Explain Pre-Grant opposition.
10. Explain Post-Grant opposition.
11. Discuss the objectives and salient features of IPAB.
12. Write a note on the operationalisation of IPAB for patents.
13. Mention the procedure of PCT filing. What are the benefits of using PCT system?
14. What are the main objectives of Biodiversity Act of India, 2002?
15. What is Benefit-Sharing? Explain the provisions for Benefit-Sharing by NBA in Biodiversity Act of India.

**TUTOR MARKED ASSIGNMENT**  
**MIP-103:**

Course Code: MIP-103  
Assignment Code: MIP-103/TMA/2016  
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.**

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**10x10= 100**

1. Define Industrial Design. Discuss the criteria for Registration of Industrial Design.
2. Write short note on
  - a. Duration of protection of Industrial Design.
  - b. Difference between Copyright Protection and Design Protection.
3. Discuss the salient features of the Indian Design Act.
4. Write short notes on
  - a. Locarno Classification.
  - b. Hague System.
5. What is infringement of Design Rights? Give examples.
6. Write short notes on
  - a. Transfer of ownership of Design Rights and
  - b. Cancellation of Design Rights.
7. What are the remedies available in the Design Act, 2000 for infringement of Design? Illustrate with example.
8. Discuss piracy of Industrial Design. What are its consequences?
9. What are Integrated Circuits? Illustrate some of the key conventions in Integrated Circuits.
10. Write short note on
  - a. Classification of IC.
  - b. Fabrication of IC.
11. Write short notes on
  - a. Layout Design Appellate Board.
  - b. Cancellation of Registration of Layout Design.

12. What do you understand by Utility Model Protection? Enumerate the advantages of Utility Model Protection.
13. Enumerate the significance of Utility Model Protection and explain the benefits acquired by Utility Model Protection.
14. What are the benefits perceived through Utility Model Protection? Cite relevant examples.
15. Keeping in view the debate on Utility Model Protection in India, discuss the possible recommendations.

**TUTOR MARKED ASSIGNMENT**  
**MIP-104:**

Course Code: MIP-104  
Assignment Code: MIP-104/TMA/2016  
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.
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**10x10= 100**

1. Define Trademarks and explain the essential elements of the definition.
2. Discuss the procedure for registration of trademarks.
3. Explain the different ground for refusal of trademark registration.
4. Discuss the quality control obligations in trademark licensing.
5. Define Collective Mark and Certifications Mark. How is a Collective Mark different from a Trademark?
6. What is Madrid system of International Registration of marks? Enumerate the benefit of International Registration of marks.
7. What does not constitute a Trademark infringement? Discuss.
8. Discuss different types of remedies available for trademark infringement.
9. What are the various types of domain names? Explain how domain names are akin to Trademarks.
10. Explain the process of domain name registration. Who are domain name registrars? What function do they perform?
11. What are the salient features of INDRP? What is the procedure of filing a complaint under INDRP?
12. Explain the juridical basis of UDRP? On what basis we can say that UDRP provide for compulsory adjudication of domain name disputes?
13. What are GIs as per the TRIPS Agreement? What are pre requirements for a geographical indication?
14. What are the Geographical indications that cannot be registered? Discuss.
15. What are the differences between passing off and infringement suits?

**Assignment Booklet -2**

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

**2016**

**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, 2016 for students of January session and before April 30, 2017 for July 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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Course Code:.....  
Course Title: .....  
Assignment Code.....  
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**Programme Coordinator  
PGDIPR**

**TUTOR MARKED ASSIGNMENT**  
**MIP-105:**

Course Code: MIP-105  
Assignment Code: MIP-105/TMA/2016  
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.**

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**10x10= 100**

1. What is copyright? Explain the nature and evolution of copyright law in India.
2. Examine the concept of originality in copyright.
3. Discuss author's special right in India.
4. What are rental rights? Which Categories of works are covered by that?
5. What is the kind of special provision regarding use of copyrighted material by education institutions or for educational purpose?
6. Discuss the procedure for registration of copyrights in India.
7. What are the requirements for a valid copyright assignment? Distinguish between assignment and license.
8. Discuss the functioning of a copyright society in India. How is it regulated?
9. Discuss the acts which are not an infringement with reference to copyright works?
10. What is interlocutory injunction in copyright cases and what are the grounds for issuing the same.
11. Discuss the offences with reference to the special rights of the author.
12. Explain the penalties for an offence related to infringement of the reproduction of a literary work.
13. Discuss the obligations of countries regarding border measures or copyright as per the TRIPS Agreement.
14. What are the rights provided in the copyright Act for sound recording producers? What all acts can be an infringement in case of a sound recording?
15. Write short note on
  - a. Rights provided in the Berne Convention.
  - b. Scope of the Rome Convention.

## TUTOR MARKED ASSIGNMENT

### MIP-106: Plant Varieties protection, Biotechnology And traditional Knowledge

Course Code: MIP-106

Assignment Code: MIP-101/TMA/2016

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.**

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**10x10= 100**

1. How has development in bio-technology contributed to development of plant varieties?
2. What are the options for member states to provide plant variety protection under TRIPS?
3. What are the important regulatory provision of the Biological Diversity Act, 2002 with reference to access and utilization of biological resources?
4. What are the requirements for protection of new plant varieties under UPOV?
5. Explain DUS testing deliberately.
6. What is the scope of breeders rights provided under the PPVFR Act and UPOV Convention?
7. What are the duties of the PPVFR authority for encouraging development of new varieties of plants and to protect the rights of the farmers and breeders.
8. How do the provisions of Biological Diversity Act, 2002 and PPVFR Act complement for realizing the farmer's Right Explain?
9. Examine the legal framework regulating biotechnology in India.
10. Discuss the interface between PGRs and intellectual property rights.
11. What are the major issues of social concern to patenting in biotechnology. Discuss.
12. What are the permissions for patenting of inventions related to biotechnology and micro-organisms?
13. What is traditional knowledge? Discuss its significance for developing countries.
14. Discuss the essential features of the Nagoya protocol in context of T.K.
15. What are the principal tools of protection for TK? Describe the shortcomings of existing IPR regime in the protection of T.K.

**TUTOR MARKED ASSIGNMENT**  
**MIP-107: Trade Secrets, Competition Law and Protection of TCE**

Course Code: MIP-107  
Assignment Code: MIP-101/TMA/2016  
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.**

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**10x10= 100**

1. Define a trade secret. Is there any difference between confidential information and a trade secret? Explain.
2. Explain the rationale and significance of protection of a Trade Secret.
3. 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.
4. Discuss the legislative framework on the protection of trade secrets in India and the main thrust of the judicial approach.
5. Give a brief account of Law against unfair Competition in India.
6. Discuss the essentials of passing off action with the help of case laws as laid down by courts in trade mark cases.
7. Distinguish between competition Law and competition policy. What are the components of competition policy? Explain.
8. Enumerate the objectives of the competition Law. How it promotes innovation and Competitiveness of an economy?
9. What do you understand by dominant position of an enterprise? State the provision of the competition Act. Which is frowned upon abuse of such dominant position?
10. What do you understand by intellectual property induced dominance? Explain with an example of abuse of such dominance.
11. What is compulsory licensing? Explain the relevant provisions given under the Patents Act, 1970 in light of the decision of Natco Vs Bayer.
12. Define Traditional Cultural Expression. Briefly enumerate as to what can qualify as the subject matter for the protection as traditional cultural expressions. Give examples.

13. Briefly explain the work done by UNESCO in the field of protection of and promotion of cultural heritage and cultural diversity.
14. What is creature heritage project? What is the aim behind the launch of the creature heritage project?
15. What are the various legal and policy issues identified by ICS, Wipro which need to be resolved to devise a frame. Work for providing position to the TCES.

**TUTOR MARKED ASSIGNMENT  
MIP-108:**

Course Code: MIP-108  
Assignment Code: MIP-108/TMA/2016  
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.**

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**10x10= 100**

1. Define Intellectual Capital. Explain the various stages in Intellectual Capital Management.
2. Discuss the relationship of innovations with industry and society.
3. Define the term conception of idea. Explain the different stages involved in mind to patent.
4. What is meant by initial and unorthodox sources of funding? Discuss.
5. Discuss debt finance.
6. Differentiate between income based, cost based and market based methods for valuation of patents.
7. Write short note on econometric approach to patent valuation.
8. What is an IP Audit? What are the key areas of IP Audit? Also explain when IP Audit is necessary.
9. Explain the term 'patent of principle' and its impact on patent law.
10. Explain the different types of intellectual property licenses. What is the purpose of compulsory license?
11. Write short note on
  - a. Picket fencing.
  - b. Blanketing and flooding
12. What is meant by royalty? Explain running royalty and royalty staking.
13. Explain the defensive patent strategies of a company.
14. What is a patent pool? Give examples. Discuss the misuse of a patent pool.
15. What is open source? Give examples of open source products.