

Assignment Booklet -1

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

Jan/July-2019

Tutor Marked Assignments (TMA)

For

MIP-101 to MIP 104



**SCHOOL OF LAW
INDIRA GANDHI NATIONAL OPEN UNIVERSITY
MAI DAN 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, 2019** for the students enrolled in the **January, 2019** session and **31st October, 2019** for the students enrolled in **July, 2019** 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:

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

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

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/2019

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**

10X10= 100

1. Define rights. Differentiate between positive and negative rights.
2. Discuss the criteria for granting patent for an invention under Indian Patents Act, 1970
3. Write a note on Collective marks as provided under Trademark Act, 1999.
4. Discuss the provisions of the Nice Agreement Concerning International Classification of Goods and Services.
5. Write a note on Singapore Treaty on the Law of Trademark, 2006.
6. Describe Cinematograph work as defined under Copyright Act, 1951.
7. Explain the assignment of trademarks as laid down in Paris Convention.
8. Write a note on the Beneficiaries under the WIPO performance and phonograms treaty.
9. Discuss the salient features of Geographical Indications of Goods (Registration and Protection) Act, 1999.
10. Discuss the Unjust Enrichment theory.
11. Who is a Performer as per the Copyright Act, 1951. Discuss.
12. Write a note on Vienna Classification.

TUTOR MARKED ASSIGNMENT

MIP-102: Patents

Course Code: MIP-102
Assignment Code: MIP-102/TMA/2019
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**

10X10= 100

1. Define Patents. What are the basic elements of Patentability in an invention? What can be patented? Discuss.
2. What is meant by Client based market Valuation? Discuss.
3. Critically analyse the important limitations or conditions imposed on Patentee with respect to the enjoyment of exclusive right to use or deal with the Patent.
4. Discuss the requirement for filing International Patent Applications.
5. Discuss the different types of Patents with illustrations.
6. Discuss the different types of infringement of patents.
7. Discuss the objectives of commercialization of patents.
8. What is the importance of Training of patent Agents. Discuss.
9. Discuss in detail the concept of invention defined under S.2(1)(j) of the Patents Act, 1970 as amended in 2005.
10. What are the methods of Technology Transfer?. Discuss
11. List out the Bibliographic Information contained in Patent Documents INID Codes.
12. Write a note on Patent Cooperation Treaty.

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/2019

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**

10X10= 100

1. Enumerate the key provisions for scope of Protection of Integrated Circuit (IC) as Intellectual Property Rights as per TRIPS
2. What is an artistic work which is not the subject matter of registration under the copyright Act, 1957? Discuss
3. What is Fabrication with relation to Integrated Circuits (ICs)?
4. Explain the procedure for registration of design.
5. Write a note on utility model protection available in Japan.
6. Enlist the rights conferred by the utility model protection.
7. Explain the three categories of Inventive step requirement followed for Utility model protection.
8. Write a note on right to prevent unauthorized copying or imitation. Also discuss the rights to prevent unauthorized commercial transaction.
9. What are the benefits perceived through Utility Model Protection? Please cite relevant examples.
10. Who can obtain protection of layout design under the Semi-conductor Integrated Circuits and Layout Design Act, 2000?
11. Citing the International experiences enumerate the limitations of the Utility Model Protection.
12. Explain in brief the powers and functions of the Layout Design Appellate Board (LDAB).

TUTOR MARKED ASSIGNMENT

MIP-104: Trademarks, Domain Names and Geographical Indications

Course Code: MIP-104

Assignment Code: MIP-101/TMA/2019

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**

10X10= 100

1. What is the purpose of Trademark Licensing? Discuss the procedure for registration as a registered user.
2. Write a note on Character Merchandising.
3. What do you understand by well-known trademark? Discuss.
4. Describe the procedure for registration of trade marks. Discuss the absolute grounds for refusal of trade mark registration?
5. What is meant by Infringement of Trademarks? Explain. Discuss the Remedies available.
6. Explain the concept of 'Passing off' with the help of Case Laws.
7. Discuss the civil remedies available for the trademark infringement.
8. What are the functions of Geographical Indications? Explain the difference between Geographical indication and Trademark.
9. Describe the Madrid system of registration of Trade Marks.
10. What is the meaning of well known trademark? Analyse the factors which determine the well known trademark.
11. Discuss cybersquatting and Typosquatting.
12. Define Geographical Indications. Show by a flow diagram along with timelines the opposition procedure during GI Application prosecution.

Assignment Booklet -2

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

Jan/July-2019

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, 2019** for the students enrolled in the **January, 2019** session and **30th April, 2020** for the students enrolled in **July, 2019** 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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Name:

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Course Code:.....

Course Title:

Assignment Code.....

Regional Centre Code:.....

Study Centre Code:.....

Date:.....

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Programme Coordinator
PGDIPR

TUTOR MARKED ASSIGNMENT

MIP-105: Copyright and Related Rights

Course Code: MIP-105

Assignment Code: MIP-105/TMA/2019

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**

10X10= 100

1. Define Copyright. Explain the different kinds of works covered by copyright.
2. Reflect on the economic impact of copyrights on India's national economy. Examine what would happen if copyright is a permanent right.
3. Under what grounds one can be protected under innocent infringement of copyrights?
Discuss
4. Define performer's Rights under the Copyright Act, 1957.
5. Examine the concept of Originality in Copyright. Refer to Case Laws.
6. Discuss the principle on which the Berne convention rests.
7. What are the civil remedies available for author's special rights? Define punitive damages and why courts are awarding the same?
8. Write a paragraph on Offences and penalties with reference to sound recordings?
9. What is the provision in the Copyright Act regarding registration? Discuss the arguments against mandatoriness of copyright registration in India?
10. What is meant by License under the Copyright Act, 1957? Distinguish between license and Assignment.
11. What is interlocutory injunction in copyright cases and what are the grounds for issuing the same.
12. Write a note on Anton pillar Order.

TUTOR MARKED ASSIGNMENT

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

Course Code: MIP-106

Assignment Code: MIP-106/TMA/2019

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**

10X10= 100

1. Discuss the basic requirement which a characteristic should fulfill before it is used for Distinctiveness, Uniformity and Stability (DUS) testing.
2. Define Plant Variety? Write a note on Origin of Plant Breeding and Crop Improvement.
3. Write a note on Qualitative Characteristics.
4. Discuss elaborately the requirements for protection of new plant varieties.
5. Write a note on Plant Genetic Resources and Intellectual Property Rights.
6. What are the principal objectives of protecting Traditional Knowledge? How can these objectives be attained?
7. Critically discuss the implication of the TRIPS agreement on biotechnological inventions.
8. Write a note on the subject matter of patentability.
9. What is the scope of breeders rights provided under the Protection of Plant Varieties and Farmers Rights Act, 2001?
10. Write a note on Rationale for Farmer's Rights.
11. What is infringement of Plant Breeder's Rights? Explain how PBR's can be enforced.
12. Discuss the major issues related to IPR and Biotechnology.

TUTOR MARKED ASSIGNMENT

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

Course Code: MIP-107

Assignment Code: MIP-107/TMA/2019

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**

10X10= 100

1. Distinguish between competition law and competition policy. What are the components of competition policy? How intellectual property law interacts and affects the competition policy?
2. Define trade secret. Distinguish it from the confidential information.
3. Write a note on Vertical agreements.
4. 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?
5. 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?
6. Discuss the legislative framework on the protection of trade secrets in India and the main thrust of the judicial approach.
7. Discuss the essentials of passing off action with the help of case law as laid down by courts in trademark cases.
8. With examples, explain the concept of intellectual property induced dominance.
9. Define Traditional Cultural Expression. What is the rationale behind its protection?
10. Write a note on the Creative heritage Project.
11. Briefly write about the authorities established under the Competition Act, 2001 in India.
12. Discuss the contribution made by the UNESCO in the field of protection and promotion of cultural heritage and cultural diversity.

TUTOR MARKED ASSIGNMENT

MIP-108: Management of IPRs.

Course Code: MIP-108

Assignment Code: MIP-108/TMA/2019

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**

10X10= 100

1. Describe the Concept of IP management. Explain the Importance of intellectual property assets..
2. Explain Utilitarianism and Non- utilitarianism theory of IPRS.
3. Write a note on economic nature of IPRs.
4. Why valuation of patent is necessary? What are the most popular methods of Patent Evaluation?
5. Discuss the conception of idea. What are the stages involved in mind to Patent?
6. Explain the relationship of innovations with industry and society?
7. What is Patent Value Predictor Model? Discuss
8. What are the key areas of IP audit? Discuss
- 9 Distinguish between Voluntary licence and non-voluntary license
- 10 Explain the defensive patent strategies of a company?
- 11 What is meant by royalty? Explain running royalty and royalty staking.
- 12 What is a patent pool? Give examples. Discuss the misuse of a patent pool.