

Assignment Booklet -1

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

Jan/July-2020

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, 2020** for the students enrolled in the **January, 2020** session and **31st October, 2020** for the students enrolled in **July, 2020** 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/2020
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. Whether 'Trade Secret' and Undisclosed Information' are the same or different? Discuss the above in the light of the TRIPS Agreement.
2. Discuss the basic features of Patent Cooperation Treaty, 1970.
3. Discuss the important principle provisions of the Berne Convention for the protection of Literary and Artistic works.
4. Write a note on Collective Marks.
5. What is "passing off"? What are the distinctions between passing off actions and infringement of trade mark?.
6. Discuss the basic features of the Rome Convention.
7. Trace out the evolution of copyright and related rights.
8. Discuss the main provisions of Patent Law Treaty, 2000.
9. Analyse the key aspects of Convention on Biological Diversity (CBD).
10. Discuss the different modes of acquisition of intellectual property.
11. Discuss the purpose, objectives and functioning of Patent Co-operation Treaty.
12. Discuss the salient features of Protection of Plant Variety and Farmers Rights Act.

TUTOR MARKED ASSIGNMENT

MIP-102: Patents

Course Code: MIP-102
Assignment Code: MIP-102/TMA/2020
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. Who can be a Patent Agent? Discuss their rights, qualification and disqualification for registering as a patent agent.
2. Discuss the process of Drafting a patent specification.
3. Discuss the different types of infringements of patents.
4. What is meant by technology transfer through a Mother Licensee? Discuss.
5. Explain 'Bollar provision' and 'parallel import'.
6. Write a short note on PCT National Phase Application.
7. Discuss different types of infringement.
8. Discuss the Technology Transfer Activities required before signing the patent licence agreement. Discuss.
9. Explain the objectives and salient features of Intellectual Property Appellate Board (IPAB).
10. Discuss provisional specifications and complete specification in a Patent Application.
11. Discuss the powers of the Controller General of Patents.
12. What are the major activities involved in technology transfer?

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/2020
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 Prohibition on registration of certain designs under the Design Act, 2000.
2. What are the criterias to determine the similarity of designs?.
3. What rights are conferred by registration of Integrated Circuits under SICLD Act, 2000?.
4. Write a note on Utility Model System of Malayasia.
5. Discuss the benefits perceived through Utility Model Protection with the help of examples.
6. What cannot be protected by Industrial Design Rights? Explain with examples.
7. What are the rights acquired by registration of Integrated Circuits (ICs).
8. Explain the salient features of Semiconductor Integrated Circuits and Layout Design Act, 2000.
9. Discuss the impact of infringement of designs on the right holder.
10. Explain Reasons for protection of Industrial Design. How can Industrial Designs be protected?
11. Discuss the various rights conferred by utility model protection.
12. Distinguish between Copyright Law and Industrial Design Law.

TUTOR MARKED ASSIGNMENT

MIP-104: Trademarks, Domain Names and Geographical Indications

Course Code: MIP-104

Assignment Code: MIP-104/TMA/2020

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 advantages of the registration of trademark.
2. What do you mean by domain testing? Discuss with the help of examples.
3. Discuss the major provisions regarding geographical indication in the TRIPS Agreement.
4. Define character merchandising.
5. What do you mean by domain testing? Discuss with the help of examples.
6. Explain the term “homonymous geographical indication”. Also distinguish between geographical indication and trademarks.
7. Discuss the procedure of Dispute Resolution under INDRP (In Domain Name Dispute Resolution Policy).
8. Define trademark licensing. Explain the purpose of trademark licensing.
9. What are the remedies available for the infringement of Trademarks?
10. Discuss the licensing and assignment in Trademark Law.
11. Discuss the relationship between Domain names and Trademarks.
12. Discuss the objectives and advantages of the Madrid System.

Assignment Booklet -2

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

Jan/July-2020

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, 2020** for the students enrolled in the **January, 2020** session and **30th April, 2021** for the students enrolled in **July, 2020** 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.

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Name:

Address:

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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.

- 8) 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.
- 9) Leave at least 4 cm margin on the left, top and bottom of your answer sheet for the evaluator's comments.
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Our best wishes for your studies.

Programme Coordinator
PGDIPR

TUTOR MARKED ASSIGNMENT

MIP-105: Copyright and Related Rights

Course Code: MIP-105

Assignment Code: MIP-105/TMA/2020

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. Write a note on economic rights of copyright owner in literary, dramatic and musical works.
2. Explain relinquishment of copyrights.
3. What is copyright infringement? Explain colorable imitation with example.
4. Write a note on Anton Piller Order.
5. What are the TRIPS requirements regarding provision of criminal procedures for copyright infringement?
6. Write a note on jurisdiction of courts in relation to infringement of copyright.
7. What are the requirements for a valid copyright assignment? Explain.
8. Write a detailed note on Author's Special Rights with the help of case law.
9. Enumerate the exceptions provided for computer programmes under the Copyright Law in India.
10. What is meant by "assignment of copyright"? Distinguish between assignment and licensing.
11. Discuss the powers and functions of the Registrar of copyrights.
12. Write a note on compulsory licence.

TUTOR MARKED ASSIGNMENT

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

Course Code: MIP-106

Assignment Code: MIP-106/TMA/2020

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 rationale for Sui-Genesis IPR regimes for plant varieties? Discuss.
2. Discuss the European Directive on Protection of Biotechnological inventions.
3. Write a note on Cartagena Protocol.
4. Discuss the basic requirement which a characteristic should fulfill before it is used for DUS testing.
5. What are potential biosafety implications of genetically modified organism and how does CBD (Convention on Bio-diversity) addresses it?.
6. Discuss the problems in enforcing the Plant Breeder Rights (PBRs).
7. What are the important regulatory provisions for the Biological Diversity Act, 2002 with reference to access and utilization of biological resources?
8. Write a note on the rationale for Farmer's Rights.
9. Discuss the duties of the standing committee of the PPVFR in the promotion and protection of new plant varieties.
10. Write a note on National Gene Fund.
11. Explain the issue of access and benefit sharing and the provisions on its implementation under CBD (Convention on Biological Diversity).
12. The protection of Traditional Knowledge is important for the Conservation of environment. Discuss.

TUTOR MARKED ASSIGNMENT

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

Course Code: MIP-107

Assignment Code: MIP-107/TMA/2020

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. Analyse linkage between the protection of traditional cultural expressions and human rights issues..
2. Define unfair competition. How is it dealt with under Indian law?
3. Discuss the provisions of the Contract Act, 1972 which deal with the protection of confidential information.
4. Explain with examples the concept of compulsory licencing.
5. With the help of decided cases, analyse the approach of the Supreme Court of India on the restrictive clauses in the contracts of employment.
6. With examples, explain the concept of Intellectual Property induced dominance.
7. Write a note on the Creative Heritage Project.
8. When are the third parties liable for using a trade secret? Discuss
9. Discuss the judicial perspective on specific categories of unfair trade practices.
10. What do you understand by intellectual property induced dominance? Explain abuse of such dominance with the help of examples.
11. What are the essentials of a trade secret as defined in article 39 (2) of the TRIPs Agreement? When does a trade secret loses all protection?

12. Discuss the various Initiatives taken by UNESCO for the protection of Traditional, Cultural Expression (TCEs).

TUTOR MARKED ASSIGNMENT

MIP-108: Management of IPRs.

Course Code: MIP-108
Assignment Code: MIP-108/TMA/2020
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 importance of Intellectual Property Assets.
2. Explain the situations where valuation of IP is important for an organisation.
3. Explain the key focus areas of Intellectual Property Audit.
4. Explain the 'Innovation theory' and its effect on patents.
5. Define the term 'patent trolls'. Give any five examples of patent troll attacks.
6. Discuss briefly different types of Licensing of Patents.
7. What are the benefits of IPR management?
8. Write a note on the Qualitative Evaluation approach of IP valuation.
9. Explain the different factors affecting IP Management behavior. Mention the attributes of a good IP Manager.
10. Write briefly various types of royalty payments.
11. Explain the popular methods of patent valuation.
12. Distinguish between Open and Closed Standards.