

**MASTER OF INTELLECTUAL PROPERTY
LAW (MIPL)**

Term-End Examination

00302

December, 2014

**MIR-031 : OVERVIEW OF INTELLECTUAL PROPERTY
RIGHTS**

Time : 2 hours

Maximum Marks : 50

*Note : This paper consists of **two** parts. Part A and Part B. Both the parts are **compulsory**.*

PART A

Attempt all the questions from this part. Each question carries 2 marks. 10×2=20

1. Identify the **incorrect** statement out of the following :
 - (a) The TRIPS Agreement does not define Intellectual Property.
 - (b) Copyright laws protect ideas.
 - (c) A patent grants exclusive rights to the patentee subject to the provisions of Patents Act.
 - (d) Trade secrets do not need registration.

2. Which one of the following has **not** been provided under the Berne Convention ?
- (a) National Treatment
 - (b) Automatic Protection
 - (c) Independence of Protection
 - (d) Mandatory Registration
3. _____ refers to any technological application that uses biological systems, living organisms, or derivatives thereof, to make or modify products or processes for specific use.
- (a) Biodiversity
 - (b) Biotechnology
 - (c) Biopharmacy
 - (d) Biophysics
4. Which of these is **not** a ground for compulsory licensing ?
- (a) That the reasonable requirements of the public with respect to the patented invention have not been satisfied.
 - (b) That the patented invention is not available to the public at a reasonably affordable price.
 - (c) That the patented invention is a novelty and not a mere discovery of an existing scientific principle.
 - (d) That the patented invention is not worked in the territory of India.

5. Which of the following statements is true with respect to a “trademark” ?
- (a) A trademark is used in relation to goods and services
 - (b) A trademark is incapable of distinguishing the goods or services of one person from those of others
 - (c) A trademark needs to be mandatorily registered
 - (d) All of the above
6. Identify the treaty or convention which does *not* deal with natural resources.
- (a) The Convention on Biological Diversity
 - (b) The International Treaty for Plant Genetic Resources
 - (c) The Berne Convention
 - (d) The International Treaty for Plant Genetic Resources for Food and Agriculture
7. The TRIPS Agreement sets minimum standards for effective Intellectual Property enforcement procedures that involve :
- (a) Civil procedures
 - (b) Criminal procedures
 - (c) Administrative procedures
 - (d) All of the above

8. Identify the *incorrect* statement :
- (a) IPR protection is automatic for all types of intellectual property.
 - (b) Registration of Geographical Indications is primarily attributable to geographic origin.
 - (c) The registration formalities are usually determined by the domestic law.
 - (d) A patent grant provides the 'right to priority' and other related rights.
9. Which one of the following is *incorrect* ?
- (a) The Paris Convention deals with copyright.
 - (b) The first law on copyright is traced to the Statute of Anne in 1710.
 - (c) The first ever legislation on IPR was passed in Britain in 1623 known as the Statute of Monopoly.
 - (d) The Indian Patents Act, 1970 provides for pre-grant and post-grant opposition.
10. As per the Trademark Law Treaty, the standard duration of the initial period of the registration and the duration of each renewal is _____ .
- (a) 5 years
 - (b) 7 years
 - (c) 10 years
 - (d) 15 years

PART B

*Attempt any **three** questions from this part. Each question carries 10 marks.*

3×10=30

- 11.** Discuss the relationship between Intellectual Property Rights and Economic Development.
 - 12.** Define Patent. What are the subject-matters which cannot be patented ?
 - 13.** Discuss the common elements of registration for different kinds of intellectual property.
 - 14.** Critically analyse the contribution made by the TRIPS Agreement in the field of the IP law.
 - 15.** Distinguish between tangible and intangible property. In which category can intellectual property be classified ?
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