

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

**Term-End Examination**

00032

**December, 2014**

**MIR-032 : COPYRIGHT AND DESIGNS LAW**

*Time : 2 hours*

*Maximum Marks : 50*

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

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**Part A**

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

1. The first recorded copyright case was :
  - (a) *Finnian v. Columba*
  - (b) *Glyn v. Weston Feature Film*
  - (c) *Wheatson v. Peters*
  - (d) *Donaldson v. Beckett*
  
2. Justification for copyright has been given under which Article of Universal Declaration of Human Rights ?
  - (a) Article 21
  - (b) Article 23
  - (c) Article 24
  - (d) Article 27

3. Which of the following proposition(s) laid down by Supreme Court of India in the case of R.G. Anand v. Deluxe Films is correct ?
- (a) Where the same idea is being developed in a different manner, it is manifest that the source being common, similarities are bound to occur.
  - (b) As a violation of copyright amounts to an act of piracy, it must be proved by clear and cogent evidence after applying the various tests laid down by the case law discussed above.
  - (c) Where the theme is the same but is presented and treated differently so that the subsequent work becomes a completely new work, no question of violation of copyright arises.
  - (d) All of the above
4. Which of these is **not** a type of dramatic work ?
- (a) Ballet
  - (b) Scenic arrangement
  - (c) Photograph
  - (d) Any piece of recitation
5. Computer Program can be included in the definition of
- (a) Literary work
  - (b) Artistic work
  - (c) Scientific work
  - (d) Dramatic work

6. The term of copyright in any literary, dramatic, musical, or artistic work published within the lifetime of the author would extend to
- (a) Forty years after the death of the author
  - (b) Thirty years after the death of the author
  - (c) Sixty years after the death of the author
  - (d) Fifty years after the death of the author
7. Moral rights means the following rights :
- (a) Integrity rights
  - (b) Paternity rights
  - (c) Economic rights
  - (d) Both (a) and (b)
8. A Registered Community Design provides longer comprehensive protection than a Community Design. It lasts initially for five years and can be renewed in blocks of five years upto
- (a) Fifteen years
  - (b) Twenty years
  - (c) Twenty-five years
  - (d) Thirty years

9. \_\_\_\_\_ of the TRIPS Agreement requires member countries to protect the layout-designs of integrated circuits in accordance with the provisions of the Treaty on Intellectual Property in respect of Integrated Circuits.

- (a) Article 5
- (b) Article 20
- (c) Article 35
- (d) Article 63

10. What does the term 'Industrial Design' refer to ?

- (a) Any mode or principle of construction or anything which is in substance a mere mechanical device
- (b) The features of shape, configuration, pattern, ornament or composition of lines or colours applied to any article.
- (c) A three-dimensional disposition of the elements or such a three-dimensional disposition prepared for an integrated circuit intended for manufacture.
- (d) None of the above

## Part B

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

3×10=30

11. "There can be no copywriting in an idea, subject matter, themes, plots or historical or legendary facts." Comment with suitable examples.
12. Discuss the concept of moral rights. Explain with the help of case law.
13. Critically analyse the concept of Fair Dealing or Permitted Acts.
14. Write a note on Copyright-Design overlap.
15. Outline the registration procedure of an industrial design.

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