

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

**Term-End Examination**

**December, 2014**

00232

**MIR-036 : ADVANCED IP ISSUES**

*Time : 2 hours*

*Maximum Marks : 50*

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*Note : This paper is divided into two parts, Part A and Part B. Both 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. Which of the following is an example of free culture ?
  - (a) Creative Commons
  - (b) Facebook
  - (c) Encyclopaedia Britannica
  - (d) The Right to Information Act, 2005

2. Which of the following is *not* a model recognised under the *Gowers Review*, 2006 ?
- (a) The Asiatic Model
  - (b) The UK Model
  - (c) The USA Model
  - (d) Cyber Socialism
3. What is the major challenge of an IP policy ?
- (a) Establishment of a corpus for the promotion of liberal arts in a society.
  - (b) Resolving the tension between private interests and public good.
  - (c) Ensuring that artists get credited for their work.
  - (d) None of the above
4. Under which international treaty one can seek the patent protection for an invention simultaneously in other countries that are party to the treaty, by filing an International Patent Application ?
- (a) TRIPs Agreement
  - (b) Paris Convention
  - (c) The Patent Co-operation Treaty
  - (d) The Patent Law Treaty

5. Which of the following terms is best suited to describe the protection of clinical test data for a set period of time, which is submitted to a regulatory authority to prove safety and efficacy of a new drug ?
- (a) Data exclusivity
  - (b) Clinical protection
  - (c) Clinical exclusivity
  - (d) Data protection
6. Which was the first drug to use recombinant DNA technology ?
- (a) Human pheromone
  - (b) Human insulin
  - (c) Human thyroid
  - (d) Human adrenaline
7. Which one of these is **not** a guiding principle in the OECD guidelines for the protection of databases ?
- (a) Security safeguards
  - (b) Purpose specification
  - (c) Data quality
  - (d) Data quantity

8. Which one of these is *not* a component of detriment ?
- (a) Blurring
  - (b) Tarnishing
  - (c) Erosion
  - (d) All of the above
9. The abbreviation 'DRM' associated with copyright law, stands for which of the following ?
- (a) Digital Rights Management
  - (b) Digital Recording Mechanism
  - (c) Data Rights Management
  - (d) Data Recording Mechanism
10. Which one of the following is *not* allowed under any Creative Commons License ?
- (a) Attribution of the work
  - (b) Add digital rights management, restricting others from using the work
  - (c) Copying the work
  - (d) Distribution of the work

## PART B

*Attempt any **three** questions from this part. Each question carries 10 marks.* *3×10=30*

11. Explain the various theories that justify Intellectual Property Rights protection for intangible assets.
  12. Why is Genetically modified food promoted? Also discuss the risks associated with it.
  13. Discuss 'incremental innovation'. What is India's current position on it? Explain referring to Case laws.
  14. Discuss the existing legal framework for the protection of folklore in India.
  15. Critically examine the debates surrounding the political economy of a patent system.
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