

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

Term-End Examination

00442

December, 2014

**MIP-107 : TRADE SECRETS, COMPETITION LAW
AND PROTECTION OF TCE**

Time : 3 hours

Maximum Marks : 100

Note : *This paper consists of three parts. All parts are compulsory.*

PART A

Answer all questions from this part.

10×2=20

1. What are the confidentiality agreements with respect to trade secrets ?
2. How is trade secret protected under national laws ?
3. Define misleading representation with respect to trade secrets.
4. Define passing off under trade secrets.
5. Discuss the rationale of Competition Law.

- 6.** Explain unfair competition.
- 7.** What is a merger notification with respect to Competition Law ?
- 8.** What is the Principle of Exhaustion ?
- 9.** Who are the beneficiaries with respect to Traditional Cultural Expressions (TCEs) ?
- 10.** Define Patent thicket.

PART B

Answer any *five* questions from this part.

5×10=50

11. Write a note on trade secret and confidential information.
12. What are the exceptions to the disability for the disclosure of trade secrets ?
13. Write a note on Vertical Agreements.
14. Discuss the legal framework against unfair competition in India.
15. Write a note on the relationship between competition, competitiveness and economic development.
16. Discuss Section 4 of the Competition Act, 2002, which deals with abuse of dominance.
17. Write a note on the interface between IP Law and Competition Law in India.
18. Write a note on the initiatives taken by WIPO and UNESCO for the protection of Traditional Cultural Expressions (TCEs).

PART C

Answer any **two** questions from this part.

2×15=30

19. Write a note on co-operative arrangements between the holders of various types of Intellectual Property Rights.
 20. Discuss elaborately the global issues in the protection of Traditional Cultural Expressions.
 21. Discuss the unreasonable restrictions in IP agreements.
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