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

Term-End Examination

December, 2016

**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. **10x2=20**

1. Which one of the following 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.

2. 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
3. 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.
4. Intellectual Property Rights were brought into _____ framework to reduce distortions and impediments to international trade.
- (a) The TRIPS Agreement
 - (b) The General Agreement on Tariffs and Trade
 - (c) The World Intellectual Property Organisation
 - (d) The Patent Co-operation Treaty
5. Identify the incorrect statement out of the following :
- (a) The TRIPS Agreement does not define Intellectual Property.
 - (b) Copyright laws protect ideas.
 - (c) Inventions contrary to well - established natural laws are not patentable under the Indian Patent Act.
 - (d) Trade secrets constitute undisclosed information.

6. The World Intellectual Property Organisation Development Agenda was initiated by _____ and _____ through a proposal at the WIPO General Assembly in 2004.
- (a) Argentina and Germany
 - (b) England and Germany
 - (c) Brazil and U.S.A.
 - (d) Argentina and Brazil
7. The Convention on Biological Diversity was adopted by :
- (a) The United Nations Conference on Environment and Development.
 - (b) The United Nations Educational, Scientific and Cultural Organisation.
 - (c) The United Nations Conference on Trade and Development.
 - (d) The United Nations International Convention on Civil and Political Rights.
8. The Categories of inventions that are not patentable under the Patents Act, 1970 have been mentioned under :
- (a) Section 21
 - (b) Sections 3
 - (c) Section 30
 - (d) Section 8
9. In India patent protection is generally granted for the period of :
- (a) 7 years
 - (b) 20 years
 - (c) 21 years
 - (d) 14 years
10. What is meant by reproduction rights ?
- (a) The possibility of preventing the broadcasting of a performance by wireless means and the Communication to the public of a live performance.

- (b) Exclusion of others from making copies of the protected work.
- (c) Right to object to any distortion, mutilation or other modification in relation to the work which would be prejudicial to the author's honour and reputation.
- (d) Right of the performing artists in their performance.

PART - B

Attempt **any 3** questions. Each question carries
10 marks. **3x10=30**

1. Define Intellectual Property. Discuss the scope of Intellectual Property protection.
2. Write a note on Patent Cooperation Treaty (PCT).
3. Discuss in detail the linkages between Biodiversity and Traditional Knowledge.
4. Discuss in brief the Civil and criminal remedies available in the case of I.P.R. Infringement.
5. Critically analyse the contribution made by TRIPS Agreement in the field of IP Law.
