

MASTER OF INTELLECTUAL PROPERTY  
LAW (MIPL)

Term-End Examination

December, 2016

MIR-032 : COPYRIGHT AND DESIGNS LAW

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 of these is not a dramatic work ?
  - (a) Ballet
  - (b) Scenic arrangement
  - (c) Photograph
  - (d) Television programme
  
2. Computer programme can be included in the definition of :
  - (a) Literary work
  - (b) Artistic work
  - (c) Dramatic work
  - (d) Cinematograph films

3. The term of copyright in any literary, dramatic, musical or artistic work published within the lifetime of the author would be :
- (a) Sixty years after the death of the author
  - (b) Fifty years after the death of the author
  - (c) Forty years after the death of the author
  - (d) Twenty years after the death of the author
4. Moral Rights include the following rights :
- (a) Integrity Rights
  - (b) Patenting Rights
  - (c) None of the above
  - (d) Both (a) and (b)
5. 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
6. Which Article of the TRIPS Agreement talks about copyright subsisting only in expression and not in ideas ?
- (a) Article 5 (3)
  - (b) Article 3 (1)
  - (c) Article 9 (2)
  - (d) Article 8 (5)

7. The term \_\_\_\_\_ means communication to the public, by any means of Wireless diffusion, whether in any one or more of the forms of signs.
- (a) Broadcast
  - (b) Phonograms
  - (c) Reproduction of work
  - (d) Performance
8. Justification for copyright has been given under which Article of Universal Declaration of Human Rights (UDHR) ?
- (a) Article 21 of UDHR
  - (b) Article 23 of UDHR
  - (c) Article 24 of UDHR
  - (d) Article 27 of UDHR
9. Which one of the following factors is not relevant for determining fair dealing :
- (a) The nature of the copyrighted work.
  - (b) The amount and substantiality of the portion used in relation to the copyrighted work as a whole.
  - (c) The effect of the use upon the potential market or value of the copyrighted work.
  - (d) The fact that the work in question is unpublished.

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 prepared for an integrated circuit intended for manufacture.
  - (d) None of the above.

### PART - B

Answer any **three** questions :

**3x10=30**

1. Discuss the general conditions for the protection of copyright.
  2. Outline the registration procedure for an Industrial design.
  3. What constitutes infringement of a design ? Discuss.
  4. Give the description of the various kinds of licenses which can be granted under the Copyright Act, 1957.
  5. Define community design. Describe the procedure for its registration.
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