

00902

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

Term-End Examination

December, 2016

**MIP-002 : INDUSTRIAL PROPERTY : PATENTS,
DESIGNS, PLANT VARIETIES**

Time : 2 hours

Maximum Marks : 50

*Note : All questions are compulsory. However, internal choices
are given in each Part.*

PART - A

1. Attempt any five questions from this Part. Each question carries two marks. 5x2=10
- (a) Enumerate the conditions of Patentability.
 - (b) What are the elements to be proved by the patent owner to establish infringement ?
 - (c) What is the grace period provided for the Payment of Maintenance fees under Paris Convention ?
 - (d) How did the TRIPS Agreement defines the term 'Intellectual Property' ?
 - (e) Define 'Layout Design'.
 - (f) Define the term 'variety' as per the 1961 Act.
 - (g) Who will get the patent when two people have filed applications for Patent on the same day ?

PART - B

2. Attempt **any four** questions from this Part. Each question carries **five** marks. **4x5=20**
- (a) Write a short note on Exploitation of the Patented Invention.
 - (b) Discuss the Contents of Patent application in US Patent System.
 - (c) Discuss the requirements of TRIPS Agreement in relation to enforcement of Intellectual Property Rights.
 - (d) Write a note on Washington Treaty (IPIC) 1989.
 - (e) Explain the need for IPR Protection in Biotechnology.
 - (f) Discuss the structure and procedure for grant of patents under European Patent Convention.

PART - C

3. Attempt **any four** questions from this Part. Each question carries **five** marks. **4x5=20**
- (a) Explain the meaning of 'Right to Property' under the Paris Convention.
 - (b) Discuss the contents of a single internationally Standardised set of application and forms established under the provisions of Patent Law Treaty (PLT).
 - (c) Discuss the general provisions regarding Maintenance and Dispute Settlement under TRIPS Agreement.
 - (d) What are the Breeder's Rights ? Are there any exceptions to it ? Discuss.
 - (e) What are the main advantages of Budapest Treaty ?
 - (f) Write a note on 'Novelty' as a fundamental requirement for the grant of Patent.

