

POST GRADUATE DIPLOMA IN  
INTELLECTUAL PROPERTY RIGHTS (PGDIPR)

Term-End Examination

December, 2016

MIP-005 : PROTECTION OF INDUSTRIAL  
PROPERTY AT THE NATIONAL LEVEL

Time : 2 hours

Maximum Marks : 50

- Note :**
- (i) *The paper consists of four Parts A, B, C, D.*
  - (ii) *Answer any five questions each from Part A. Each question carries 2 marks.*
  - (iii) *Answer any two questions each from Part B, C and D. In Part B and C each question carries 5 marks and Part D each question carries 10 marks.*
  - (iv) *All Parts are compulsory.*

**PART - A**

Answer any five questions from this part. Answer in brief :  $5 \times 2 = 10$

1. Name the different forms of Industrial property enumerated in the TRIPS Agreement.
2. What are the basic elements of patentability ?
3. What is meant by right to exploit the Patent ?
4. What is meant by 'Design' ?

5. Define well-known Trademarks.
6. Explain licensing of Trademarks.
7. Define Biopiracy.
8. What is meant by Unfair Competition ?

### **PART - B**

Answer **any two** questions from this part. Each question carries **five** marks. **2x5=10**

1. Explain the procedure for obtaining a Patent.
2. Who can be a Patent agent ? Explain.
3. Explain the procedure for registration of Designs.

### **PART - C**

Answer **any two** questions from this part. Each question carries **five** marks. **2x5=10**

1. What is infringement of geographical indications ? Explain the procedure for filing a suit for its infringement.
2. Discuss the legal framework relating to IPR and Biodiversity.
3. Write a short note on the Competition Act, 2002.

## PART - D

Answer any two questions from this part. Each question carries ten marks. 2x10=20

1. Discuss the criteria for protection through registration of a plant variety. What plant varieties cannot be registered in India ?
  
  2. What kind of Trademarks can be registered under the Indian Trade Marks Act, 1999 ? Discuss the grounds for refusal of registration of a Trademark in India.
  
  3. What is meant by 'Compulsory License' ? Discuss in the background of the general principles as laid down by the Patents Act, applicable to Patents in India.
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