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

Term-End Examination

December, 2021

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

Time : 3 Hours

Maximum Marks : 100

*Note : (i) This question paper consists of three
Parts.*

(ii) All Parts are compulsory.

Part—A

Note : Write short notes on the following. Each question carries 2 marks. $10 \times 2 = 20$

1. Confidentiality agreements.

2. Misleading representation.
3. Passing off.
4. Competitiveness and Economic development
5. Vertical agreements
6. Extra-territorial reach of the Competition Act, 2002.
7. Unreasonable restrictions in agreements.
8. Restraint of Trade and IP licensing.
9. WIPO UNESCO Model Provisions, 1982.
10. WIPO—Intergovernmental Committee.

Part—B

Note : Answer any *five* questions. Each question carries 10 marks. $5 \times 10 = 50$

11. Define trade secret. Distinguish it from the confidential information.
12. Analyse the approach of the Supreme Court of India on the restrictive clauses in the contracts of employment with the help of decided cases.

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13. Discuss the objectives of the Competition Law. How does it promote innovation and competitiveness ?
14. Explain the concept of compulsory licensing.
15. Explain the concept of intellectual property induced dominance, with examples.
16. Define Traditional Cultural Expression. What is the rationale behind its protection ?
17. Discuss the contribution made by the UNESCO in the field of protection and promotion of cultural heritage and cultural diversity.
18. Write a note on the Creative Heritage Project.

Part—C

Note : Answer any *two* questions. Each question carries 15 marks. $2 \times 15 = 30$

19. Critically analyse the various legal and policy issues identified by the IGC, WIPO which need to be resolved while devising the framework for

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- protection to the Traditional Cultural Expression [TCEs].
20. Analyse the provisions of Paris Convention relating to trade secrets.
21. Critically examine the IPR issues involved in Anti-Competitive Agreements.

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