

00762

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

**Term-End Examination**

**June, 2012**

**MIP-007 : ENFORCEMENT OF INTELLECTUAL  
PROPERTY RIGHTS**

*Time : 2 hours*

*Maximum Marks : 50*

- 
1. Attempt *any five* parts : 5x2=10
- (a) Explain at least two advantages of Alternative Dispute Resolution procedure.
  - (b) What is UDRP ? What are the criteria for making complaints under this policy ?
  - (c) Explain the procedure for termination of mediation procedure.
  - (d) What are the provisions under TRIPs Agreement for the protection of Industrial Design ?
  - (e) Discuss the "Fence Post Approach" in determination of boundary of monopoly rights.
  - (f) Discuss the various reasons for International obligations for enforcement of IPR.

2. Attempt *any three* parts. 3x5=15
- (a) What kind of IPR are recognised under TRIPs Agreement ? Discuss the various objectives for their protection.
  - (b) Discuss the role of world customs organisation in enforcement of IPRs.
  - (c) What are basic objectives of Interpol Intellectual Property Crime Action Group ?
  - (d) Discuss the criminal remedies available under the Trade Mark Act 1999 for the infringement of Trademarks.
3. Attempt *any two* parts . 2x5=10
- (a) Discuss the arbitration award procedure under settlement of IPR. Disputes by WIPO.
  - (b) What is the role of conciliator under Indian Arbitration and conciliation Act 1996 and assistance to be provided by him to the parties.
  - (c) Explain the various considerations to be kept in mind while initiating the action for redressal of Infringement.
4. Attempt *any three* parts. 3x5=15
- (a) Discuss the various provisions under TRIPs Agreement for protection of patents.
  - (b) Discuss the provisions related to protection of performers, producers of phonogram (sound recordings) and broadcasting organisations under TRIPs Agreement.

- (c) Discuss the special requirements related to Border measures for enforcement of IPRs.
  - (d) What are pre - trial relief available to IPR owners with respect to enforcement of IPRs. Discuss the pre - conditions for search order (The Anton Pillar order).
-