

**POST GRADUATE CERTIFICATE IN
PATENT PRACTICE**

Term-End Examination

June, 2014

**MIR-023 : INDIAN PATENT LAW AND
PROCEDURES**

Time : 3 hours

Maximum Marks : 100

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- Note :** (i) *Answer all the questions from Part-A.
Each question carries 2 marks.*
- (ii) *Answer any five questions from Part-B.
Each question carries 10 marks.*
- (iii) *Answer any two questions from Part-C.
Each question carries 15 marks.*
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PART - A

Answer the following in brief :

10x2=20

1. What do you mean by Utility Model Patents ?
2. What are the basic elements of patentability of an invention ?
3. Define inventive step as per Patents Act, 1970.
4. When is the doctrine of colorable variation applicable ?
5. What do you mean by accidental infringement ?
6. Explain evergreening of patents.

7. What are rights of patent Agents ?
8. What do you mean by revocation of patent in public interest ?
9. Define pharmaceutical substance.
10. What is the term of patent as specified in S - 53 of the Patents Act, 1970 ?

PART - B

Answer any five questions from this part. 5×10=50

1. What is complete specifications ? How is it different from provisional specification ? Discuss.
2. Critically examine the provision relating to benefit sharing under the Biological Diversity Act.
3. Discuss the remedies available for infringement of a patent.
4. Explain technology transfer with the help of practical examples.
5. Explain post - grant oppositions.
6. Discuss the procedures for filing a patent in India.
7. Write a note on commercialization of patents.
8. Discuss the powers of controller of patents under the Patents - Act, 1970.

PART - C

Answer **any two** of the following questions. **2x15=30**

1. What is a claim ? What is the structure of drafting the disclosure of an invention ?

 2. Discuss the provisions relating to grant of compulsory licenses as provided under Patents Act, 1970. What are pre-requisites for grant of compulsory license ?

 3. Discuss in brief whether the following can be patented.
 - (a) Business methods
 - (b) Traditional knowledge
 - (c) Invention based on fertilized eggs
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