

00381

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

Term-End Examination

June, 2014

MIP-004 : COPYRIGHT AND RELATED RIGHTS

Time : 2 hours

Maximum Marks : 50

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1. Answer **any five** parts. Each question carries **two** marks : **5×2=10**
- (a) In what respect the TRIPS Agreement advances the scope of copyright ?
- (b) Adapting a work protected by copyright requires the authorization by the owner of the copyright to do so. What is meant by 'adaptation' ?
- (c) Does the protection under copyright apply to a collection of articles where each article is already protected under copyright to its author (s) ? Give reasons for your answer.
- (d) If you have published a book under a pseudonym, can you institute infringement proceedings in the countries of the Union ? Are there any conditions to be fulfilled before one can do so ?
- (e) Describe who are the beneficiaries of protection under Related Rights.

- (f) What is meant by 'phonogram' and 'producer of phonogram' under the Phonogram Convention of 1971 ?
- (g) The meaning and scope of copyright in the digital era can be understood at three levels. What are these three levels ?
- (h) Pick up the correct convention to fill in the blank in each of the following sentences :
 - (i) The WIPO Copyright Treaty has no connection with treaties other than the _____ Convention. (Berne; Rome)
 - (ii) Nothing in the WIPO performance and Phonogram Treaty shall derogate from existing obligations that contracting parties have to each other under the _____ Convention (Berne, Rome)

2. Attempt **any two** parts. Each question carries five marks : 2x5=10

- (a) Discuss the basic principles underlying the Berne Convention.
- (b) Discuss how the Paris Act (1971) of the Berne convention addresses the concerns of developing countries with regard to copyright.
- (c) What special provisions are made in the Berne convention concerning cinematographic works ?

3. Attempt **any two** parts : **2x5=10**
- (a) Discuss the impact of the development of technology on the subject matter of related rights protection.
 - (b) Discuss the provisions of the Rome convention that allow national legislators a degree of discretion in the exercise of related rights.
 - (c) Who can become members of Collective Management Organizations (CMOs)? What rights are commonly taken care of by CMOs ?

4. Attempt **any two** parts : **2x10=20**
- (a) What rights are protected under copyright and Related Rights ? Discuss the limitations and exceptions placed on the rights of authors of literary works under the Copyright Act,1957.
 - (b) Discuss the meaning and scope of copyright in the digital era.
 - (c) Why was it necessary to have a WIPO Performances and Phonograms Treaty (WPPT) when the Rome convention 1961 dedicated to codifying the rights of performers and producers of phonograms already existed ? Discuss the basic features of WPPT.
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