

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

Term-End Examination

June, 2016

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

Time : 3 hours

Maximum Marks : 100

Note : This paper consists of three parts. All parts are compulsory.

PART - A

Answer **all** the questions from this part. **10x2=20**

1. What do you understand by the term Traditional Cultural Expression (TCE) ?
2. Explain rationale for the protection of test data.
3. What is the need for capacity building of various stakeholders ?
4. What is Sui Generis system ?
5. Distinguish between technical and business trade secrets.
6. Define secret information.

7. What is cross licencing ?
8. What are Patent Pools ?
9. Define the principle of Exhaustion.
10. What is Patent Thicket ?

PART - B

Answer any five questions from this part. **5x10=50**

11. Write a note on World Culture Reports of 1998 and 2000.
12. How does unfair competition affect the interests of consumers and producers ?
13. Discuss the aim of UNESCO convention for safeguarding Intangible Cultural Heritage, 2003.
14. Discuss the initiatives taken by WIPO for the protection of TCE's.
15. When are the third parties liable for using a trade secret ? Discuss.
16. Write a note on the interface between IP Law and Competition Law in India.
17. Discuss section 4 of the Competition Act, 2002 on abuse of dominance.
18. Write a note on Vertical Agreements.

PART - C

Answer any two questions from this part. 2x15=30

19. What are the reasons for protecting TCE's ? Also discuss the global issues in the protection of TCE's.
 20. What are the essentials of a trade secret as defined in article 39 (2) of the TRIPs Agreement ? When does a trade secret loses all protection ?
 21. Discuss the essentials of passing off action with the help of case law.
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