

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

Term-End Examination

December, 2010

**MIP-002 : INDUSTRIAL PROPERTY : PATENTS,
DESIGNS, PLANT VARIETIES**

Time : 2 hours

Maximum Marks : 50

Note : All questions are compulsory.

1. Attempt *any two* parts : 2x5=10
- (a) What are the fields of technology excluded from patentability?
 - (b) Define 'Novelty' ? When does an Invention becomes part of the Prior Art?
 - (c) Discuss the processing of Patent application in the patent office.
2. Attempt *any two* parts : 2x5=10
- (a) Discuss the different ways of infringement of patent rights.
 - (b) Describe five exceptions to Infringement of exclusive rights to use a patented product.
 - (c) What are the main differences between Utility Model and Patent ? Whether India provides for Utility Model protection ?

3. Attempt *any two* parts : **2x5=10**
- (a) What is PCT? Explain the procedure of filing an International Application?
 - (b) Discuss three types of patents available under the U.S. Patent system?
 - (c) What are the major differences between the European Patent Convention (EPC) and U.S. Patent system?
4. Attempt *any two* parts : **2x5=10**
- (a) Explain the guidelines of civil and administrative procedures as per TRIPS Agreement.
 - (b) Which Articles of TRIPS Agreement provides for special Requirements related to border measures?
 - (c) Provisions of which Articles of GATT 1994 are invoked by WTO for settlement of disputes?
5. Attempt *any two* parts : **2x5=10**
- (a) Differentiate the scope of the Breeder's Right under the 1978 Act and the 1991 Act.
 - (b) Describe the duration of the Breeder's Right under the 1991 Act. When the Breeder's Right exhaust?
 - (c) IP Assets in the field of biotechnology can be categorized. Explain.
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