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

**Term-End Examination
June, 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 basic requirements to be complied while drafting a patent Application ?
 - (b) The patent owner's legal rights over his invention are usually limited in a number of different ways. Explain.
 - (c) Does the Paris Convention and the TRIPS Agreement provide for compulsory license regime ? When can the compulsory licenses may be granted ?

2. Attempt *any two* parts : 2x5=10
 - (a) Explain the term "National Treatment" under the Paris Convention.
 - (b) What is the principal objective of the PCT ?
What procedures have been prescribed by PCT to achieve its objective ?

(c) What are the major differences between the U.S., Japanese, and European Patent System ?

3. Attempt *any two* parts : 2x5=10

(a) When did the TRIPS Agreement entered into force ? In how many parts it is distributed ? Name them.

(b) What "minimum standards" are provided by TRIPS Agreement concerning the availability, scope and use of IPRs ?

(c) Which Articles of TRIPS Agreement provide for General Obligations for enforcement of IPRs for a member country ?

4. Attempt *any two* parts : 2x5=10

(a) What are Industrial Designs ? How does the protection of Industrial Design helps in economic development ?

(b) Objects qualifying for protection under Industrial Designs Act might receive protection under the Copyright Act also. Explain.

(c) Define Layout Design. Why the legislation for the protection of layout designs was introduced ?

5. Attempt *any two* parts : 2x5=10

- (a) Describe the important conditions for the protection of plant varieties under the UPOV, 1978
 - (b) What is essentially derived variety? Discuss it in the light of 1991 Ad.
 - (c) Discuss various exceptions to Breeders Right.
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