

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

**Term-End Examination**

**June, 2010**

**MIP-005 : PROTECTION OF INDUSTRIAL  
PROPERTY AT THE NATIONAL LEVEL**

*Time : 2 hours*

*Maximum Marks : 50*

*Note : All questions are compulsory.*

1. Attempt *any five* parts : 2x5=10
- (a) What is the term of protection of semiconductor circuits under the semiconductor integrated circuits Layout Designs Act 2000 ?
  - (b) Who can apply for a patent in India ?
  - (c) What is a well-known trademark ?
  - (d) What is the principle of exhaustion in case of a trademark ?
  - (e) What is biodiversity, as defined in the Biodiversity Act 2000 ?
  - (f) What are the offences under the semiconductor IC Layout Design Act ?
  - (g) State any two duties of the competition commission.
  - (h) What are the two main services offered to the users by the Patent Information System office ?

2. Attempt *any two* parts : 5x2=10
- (a) Trace the evolution of patent law in India.
  - (b) What can be the grounds of pre-grant opposition in case of a patent application filed in India ?
  - (c) What are the grounds which can be invoked by the defender for revocation of a patent in case of an infringement suit ?
3. Attempt *any two* parts : 5x2=10
- (a) On what grounds can the registration of a person as a registered user of a trademark be cancelled ?
  - (b) What activities amount to infringement of a Design in India ? What are the penalties for such infringements ?
  - (c) Discuss some of the non-registrable marks under the Trade Marks Act 1999 with illustrations.
4. Attempt *any two* parts : 5x2=10
- (a) Describe the conditions, under which a trademark containing a geographical indication is protected.
  - (b) What are the functions of the National Biodiversity Authority (NBA) ? For what purposes, are the National Biodiversity Funds (NBF) used ?

- (c) What are the provisions regarding farmer's Rights and Compulsory Licence in the protection of Plant Varieties and farmer's Rights Act (PPVFRA) ?

5. Attempt *any two* parts : 5x2=10

- (a) Explain monopolistic trade practices.
- (b) Discuss jurisdictional issues relating to infringement of trademarks under the Trade Marks Act 1999.
- (c) Which acts are administered by the office of CGPDTM in India ?
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