

01432

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

Term-End Examination

June, 2010

**MIP-006 : PROTECTION OF COPYRIGHTS
& RELATED RIGHTS AT NATIONAL LEVEL**

Time : 2 hours

Maximum Marks : 50

Note : All questions are compulsory.

1. Attempt *any five* of the following questions : **10**
- (a) Copyright comprises two main sets of rights. What are these sets ?
 - (b) Discuss various forms of video piracy of cinematographic films.
 - (c) Discuss the latest treaties on copyright adopted by WIPO in 1996.
 - (d) What are the exclusive right of an author in original dramatic work ?
 - (e) What are the three essential conditions before it can be said be that copyright subsists. in a work.
 - (f) What is the term of protection granted for related rights under the Rome Convention, 1961 and how do you compute it.
 - (g) Explain the term 'Copyright Piracy'.

2. Attempt *any two* parts : 10

- (a) X gets fascinated by the design prepared by Y an architect for construction of a Bungalow of Z. X starts construction of his house on the basis of said design made by Y. Can y obtain injunction to retain construction of the house of X and what other remedies are available to Y or Z.
- (b) "Strict application of the principle of copyright protection would work against economic and cultural development of society". Examine the above statement in the light of legal provisions under the copyright Act, 1957.
- (c) Discuss the constitutional provisions that have to be respected by a law relating to data protection in India.

3. Attempt *any two* parts : 10

- (a) Discuss the test of substantial similarity in complaints relating to infringement of copyright.
- (b) What acts do not constitute infringement of performer's rights ?
- (c) Discuss the composition and power of the copyright board under the copyright Act, 1957.

4. Attempt *any two* parts : 10
- (a) Discuss infringement of the reproduction right in the case of a digital literacy work on the internet.
 - (b) What is the central challenge for copyright protection in the digital era ? Who are the principal stake holders in digital rights management ?
 - (c) Discuss collective administration of copyright and related rights at the international level.
5. Attempt *any two* parts : 10
- (a) What is meant by an 'infringing copy' as defined in the copyright act ?
 - (b) When does the making of sound recording in respect of any literary, dramatic or musical work without authorisation not constitute infringement of the copyright ?
 - (c) Discuss 'administrative remedy' against importation of infringing copies.
-