

PGDIPR-02

June - Examination 2016

**P.G. Diploma in Intellectual Property Rights
Examination****IPR-Issues, Challenges and International Regime
Paper - PGDIPR-02****Time : 3 Hours]****[Max. Marks :- 100**

Note: The question paper is divided into three sections A, B and C. Write answers as per given instructions for each section.

Section - A**10 × 2 = 20**

(Very Short Answer Type Questions)

Note: Answer **all** questions. As per the nature of the question delimit your answer in one word, one sentence or maximum upto 30 words. Each question carries 2 marks.

- 1) (i) What is WIPO?
- (ii) What is Intangible Property?
- (iii) What is Traditional Knowledge?
- (iv) What are Genetic Resources?
- (v) What is the owner of copyright of a work?
- (vi) What is Geographical Indications?

- (vii) What is design?
- (viii) What is TRIPS?
- (ix) What are the criteria for grant of a Patent?
- (x) Why was TRIPS included in WTO?

Section - B**4 × 10 = 40**

(Short Answer Questions)

Note: Answer **any four** questions. Each answer should not exceed 200 words. Each question carries 10 marks.

- 2) What are the challenges in enforcement of IPRs?
- 3) How is Geographical Indications distinct from appellation of origin?
- 4) How does design registration confer Intellectual property protection?
- 5) What are Intellectual Property Right (IPRs) and how do they grant protection to the owner of an IPR?
- 6) What is the impact of TRIPS on relevant Indian legislation?
- 7) What is trade secret? How is it protected?
- 8) Which Indian office deals with plant variety protection and how? Explain.
- 9) What are the main objectives of CBD? What are the various contradictions with the TRIPS?

Section - C**2 × 20 = 40**

(Long Answer Questions)

Note: Answer **any two** questions. Each answer should not exceed 500 words. Each question carries 20 marks.

- 10) Explain the fair use doctrine under the integrated circuits Layout-Design Act, 2000. Provide suitable examples to show when it amounts to fair use under the act.
 - 11) Explain the concept of “Access and Benefit sharing.” Is this concept derived from the convention on Biodiversity? Explain with the help of related cases?
 - 12) Explain the concept of “Biopiracy” and how the developed countries are misappropriating the traditional knowledge of the developing and least developing countries with the help of patent protection? Explain with the help of related cases.
 - 13) Explain the rules of interpretation mentioned in Vienna Convention on law of treaties and analyze its application in interpretation of TRIPS provisions while deciding IPR related cases by dispute settlement understanding.
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