

LLB
FIFTH SEMESTER
INTELLECTUAL PROPERTY RIGHTS
LLB – 503 OP₃
(USE OMR FOR OBJECTIVE PART)

SET
A

Duration: 3 hrs.

Full Marks: 70

Time: 30 min.

Marks: 20

(Objective)

Choose the correct answer from the following:

1×20=20

1. When did the World Trade Organization come into effect?
 - a. March 6, 1996
 - b. April 8, 1994
 - c. February 5, 1994
 - d. January 1, 1995
2. Which international agreement deals primarily with intellectual property rights?
 - a. North American Free Trade Agreement (NAFTA)
 - b. General Agreement on Tariffs and Trade (GATT)
 - c. Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)
 - d. World Trade Organization (WTO)
3. The Berne Convention protects-
 - a. Patents
 - b. Trademarks
 - c. Copyrights
 - d. Industrial designs
4. The term "fair use" in copyright law generally allows for-
 - a. Unlimited copying of copyrighted material.
 - b. Limited copying for purposes such as criticism, comment, news reporting, teaching, scholarship, or research
 - c. Copying only for personal use.
 - d. Copying only with the permission of the copyright holder.
5. Copyright infringement can result in-
 - a. Fines
 - b. Injunctions
 - c. Damages
 - d. All of the above
6. A text taken from a source in research report without providing reference is called as-
 - a. Plagiarism
 - b. post references
 - c. Popularism
 - d. none of the above
7. Public domain works are-
 - a. Protected by copyright
 - b. Not protected by copyright
 - c. Protected by trademark
 - d. Protected by patent
8. In which year did India enact the Copyright Act?
 - a. 1900
 - b. 1905
 - c. 1947
 - d. 1957

9. Which of the following is not a type of copying?
 - a. Direct
 - b. Indirect
 - c. Substantial
 - d. None of the above
10. An application for patent shall be filed with the Patent Office having appropriate jurisdiction. The territorial jurisdiction of patent office in respect of a patent application is decided based on which of the following:
 - a. Place of residence, domicile or business of the applicant (first mentioned applicant in case of joint applicants)
 - b. Place from where an invention actually originated or
 - c. Address for service in India given by the applicant, when the Applicant has no place of business or domicile in India (Foreign applicant)
 - d. all of the above
11. The TRIPS Agreement is part of-
 - a. The World Trade Organization
 - b. The United Nations
 - c. The Paris Convention
 - d. The Berne Convention
12. A patent application must disclose-
 - a. The invention's novelty
 - b. The invention's inventive step
 - c. The invention's industrial applicability
 - d. All of the above
13. A student copies his final year project from a random internet source. This act is termed as-
 - a. Phishing
 - b. Spamming
 - c. Plagiarism
 - d. Identity Theft
14. An applicant from Mumbai can file patent at-
 - a. Mumbai only
 - b. Mumbai or Delhi
 - c. Mumbai or Chennai
 - d. Mumbai or Kolkata
15. What is the term for patent protection?
 - a. 10 years
 - b. 20 years
 - c. 30 years
 - d. 40 years
16. Which is not a type of Intellectual property?
 - a. Copyright
 - b. Patent
 - c. Trade secret
 - d. None of the above
17. Criteria for registration of new plant variety is/are-

Novelty: A variety should not have

 - a. been commercialized for more than one year
 - b. Distinctiveness: Characteristics
 - c. Non-obviousness
 - d. All of the above
18. The case.....regarding anticancer drug Glivec marked a turning point in Indian patent law.
 - a. Novartis AG v. Union of India
 - b. Roche v. Cipla
 - c. Bayer Corporation v. Union of India
 - d. None of the above

19. Which type of right is related to logowork?
- a. Copyright
 - b. Trademark
 - c. Trade secret
 - d. Patent
20. According to Section 51 of the Act, Copyright is deemed to be infringed if-
- a. A person without obtaining the permission of the copyright holder does any act which only the copyright holder is authorized to do
 - b. A person permits the place to be used for communication, selling, distribution or exhibition of an infringing work unless he was not aware or has no reason to believe that such permission will result in the violation of copyright
 - c. A person without obtaining the authority from the copyright holder reproduces his work in any form
 - d. All of the above

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(Descriptive)

Time : 2 hrs. 30 min.

Marks : 50

[Answer question no.1 & any four (4) from the rest]

1. What are the main categories of intellectual property? Briefly explain the key differences between copyrights, patents, trademarks, and trade secrets. 6+4=10
2. How can the community's traditional knowledge be protected? Discuss the role of IPR in balancing the interests of traditional communities. 2+8=10
3. Discuss the ethical and legal implications of patenting in India and describe the steps to get an invention protected under patent laws. 5+5=10
4. Evaluate the effectiveness of international agreements in protecting IPR 10
5. Discuss the key provisions of the Paris Convention for the Protection of Industrial Property. 10
6. What is biopiracy? How does it exploit the genetic resources of developing countries? Discuss the implications of biopiracy on traditional knowledge and biodiversity. 2+8=10
7. What are the underlying technologies that support cyberspace? Discuss the role of IPR in Cyberspace. 5+5=10
8. What does authorship mean in Copyright? Elaborate joint authorship in copyright laws. 3+7=10

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