



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2021

Course: Intellectual Prop Right & Research Ethic

Semester: III

Program: MSC-CLINICAL RESEARCH-III.MSC-MICROBIOLOGY-III.MSC-N&D-III

Duration: 03 hrs.

Course Code: HSCC8006

Max. Marks: 100

Instructions: Attempt all questions

Q.No	Section A (Type the answers in test box)	20Qx1.5M=30Marks	COs
Q1	The term “WIPO” stands for:- (a). World Investment policy organization (b). World intellectual property organization (c). Wildlife Investigation and Policing organization (d). World institute for Prevention of organized crime		CO1
Q2	Which of the following is an „intellectual property“ as per IPR Laws in India. (a). Original literary work (b). Industrial Design of Maruti800 car (c). Trademark of Tata company (d). All the above		CO1
Q3	Read the sentence given below and state „True“ or „False“. (a). Customs authorities has no role in enforcement of Intellectual property rights. [] (b). Customs law empower customs officers to take action against IPR infringing goods at the time of import. [] (c). It is responsibility of Customs officers to seize infringing goods at the time of import even if the IPR right holder is not interested in enforcing his IPR. [] (d). Customs holder normally takes action against infringing goods at the initiative of right holder. []		CO3
Q4	A company wishes to ensure that no one else can use their logo. (a). Copy rights (b). Trade mark (c). Patent (d). Industrial designs (e). Geographical indications		CO1
Q5	A singer wishes to assign the rights to reproduce a video she has made of her concert. (a). Copy rights (b). Trade mark (c). Patent (d). Industrial designs (e). Geographical indications		CO1

Q6	A new way to process milk so that there is no fat in any cheese made from it. (a). Copy rights (b). Trade mark (c). Patent (d). Industrial designs (e). Geographical indications	CO1
Q7	A company has decided to invest in outer shape design of bottle in which they would fill the perfume produced by them, and which is distinctive, and they wish to ensure that they have sole use. (a). Copy rights (b). Trade mark (c). Patent (d). Industrial designs (e). Geographical indications	CO1
Q8	A company decides to use a logo that has the same shape as its competitor but with a different color (a). Copy rights (b). Trade mark (c). Patent (d). Industrial designs (e). Geographical indications	CO1
Q9	Which of the following is not an intellectual property law? (a). Copyright Act, 1957 (b). Trademark Act, 1999 (c). Patent Act, 1970 (d). Design Act, 2000 (e). Customs Act, 1962	CO3
Q10	Copyright law applies to forms of expression contained in,- (a). Song lyrics and musical compositions (b). Sculptures and paintings (c). Dramatic and literary works (d). All of the above	CO3
Q11	A trademark is represented by several key characteristics. Which of the following is one of them? (a). A trademark identifies a product's origin (b). Slogans are not covered under trademark law (c). Trademarks are never an indicator of quality (d). Trademarks are "shorthand" for retailers to use in determining pricing strategy	CO1
Q12	Which of the following statements is true? (a). Trademark registrations can be renewed for an unlimited number of ten year periods (b). Trademark law is intended to protect the owner's original work (c). To qualify for federal protection, a mark must be distinctive and have a "secondary meaning." (d). Surnames alone can be trademarked	CO1
Q13	Trade in services includes which of the following? (a). Computer hardware (b). Textiles (c). Insurance (d). Aerospace	CO1
Q14	Trademark law protects..... (a). Words, symbols or devices that differentiate goods or services from one another	CO3

	(b). Only brand names (c). Names of specific people and places (d). Inventions that feature some sort of utility function	
Q15	Which of the following principles is applicable to trademarks? (a). A trademark should be distinctive (b). A trademark should be capable of distinguishing goods or services (c). A trademark should not cause confusion with previous trademarks (d). A trademark should not be deceptive (e). All of the above	CO4
Q16	The term of copyright for an author lasts how long? (a). The life of the author (b). The life of the author plus 60 years (c). 95 years (d). 75 years	CO4
Q17	The rights provided by copyrights are (a). Reproduction of the work in various forms (b). Public performance and translate into other languages (c). Broadcasting by radio or cable (d). All of the above	CO4
Q18	Why an invention should be patented? (a). It gives protection to a patentable invention. (b). It gives legal recognition to the invention. (c). It makes others aware of the fact as to whom does the invention belong (d). Patenting one's invention make useful data relating to the invention available to other inventions for further research and development. Out of four reasons given above, please identify the correct reasons:- (a). (ii) and (iii) (b). (ii), (iii) and (iv) (c). None of the above (d). All of the above	CO1
Q19	The rights of a patentee are (a). Sell or distribute (b). License (c). Assign the property to others (d). All of the above	CO1
Q20	A policy (or policies) behind the patent system is 1. to encourage an inventor to disclose an invention by granting exclusive rights over the invention to the inventor 2. to benefit the public by limiting the scope and term of the exclusive rights granted to an inventor 3. to benefit the public through encouraging innovation by publishing a full disclosure of the technical details of the invention 4. to benefit the public through guaranteeing that the inventor can commercialize his/her invention (a). (i) and (ii) above (b). (i), (ii) and (iii) above (c). (ii), (iii) and (iv) above (d). None of the above	CO1
	Section B (Scan and upload)	4Qx5M= 20 Marks

Q1	Write a short note on designing claims and specification drafting	CO3
Q2	Discuss in brief about patent licensing procedure and justify why the IPR is exceptional to competitive law	CO2
Q3	What are Intellectual Property Rights? Discuss their types along with advantages.	CO1
Q4	What is FTO report? Discuss its advantages along with the format	CO4
	Section C (Scan and upload)	2Qx15M=30 Marks
Q1	<p>Read the passage carefully and answer the following questions:</p> <p>On its face, the plot essentially revolves around a suitcase, carrying money, being lost, and various persons, including gangsters, chasing to get hold of it. The plot idea is as old as the hills, and, without meaning any disrespect to the ingenuity of the plaintiff as a scriptwriter, it can hardly be said, prima facie, that the script of the plaintiff's screenplay - which has been placed on record but the details of which this Court, for obvious reasons, deems it appropriate not to reveal - can lay claim to any such novelty as could be said to have been filched by the defendant. In fact, a comparison of the salient features of upcoming —Lootcase, as manifested from the aforesaid trailer, vis-a-vis plaintiff's script, reveal that there are considerable features in the plaintiff's script, which are missing in the trailer, and there are certain elements of the story as reflected in the trailer, which are not to be found in the script of the plaintiff. The mere fact that certain plot points, between the plaintiff's script and the story of the upcoming film —Lootcase as reflected in the trailer, released on YouTube, may be common, cannot be the basis to lay a claim to copyright, as the plaintiff has chosen to do. The plot points, on which the plaintiff relies, such as persons losing bags of money, claiming the same and such bags being sought by members of the underworld, are plot points, which may figure in more than one cinematographic film and cannot, therefore, be said to be the exclusive province of the plaintiff. That apart, no copyright exists, in a mere idea, plot or theme, as authoritatively held in R. G. Anand. It is clear, from a reading of very first principle, set out in the aforesaid paragraph, that there is no copyright in any idea, subject matter, theme or plot, and violation of copyright is confined to the form, manner and arrangement and the expression of the idea by the author of the copyright at work. In the present case, there is no earlier film, based on the script of the plaintiff, which could for the basis of a claim to copyright. The plaintiff, as Mr. Neeraj Kishan Kaul correctly points out, bases his cause of action on a script, which never came in the public domain, and public knowledge of which is being sought to be attributed on the basis of a trailer, for a film which never saw the light of day. The cause of action, on the basis whereof the plaintiff premises his case, therefore, essentially remained inchoate. The trailer was not made by the plaintiff and the makers of the trailer have not ventilated any claim for violation of copyright. It is prima facie questionable, in the circumstances, whether any claim of copyright can be laid by the present plaintiff at all, in such circumstances.</p> <p>Questions</p> <p>(1) The judgement in the given passage has been pronounced by</p> <p>(a) Delhi High Court (b) Chennai High Court (c) Maharashtra High Court</p>	CO5

(d) Gujarat High Court

(2) The locus classicus, regarding copyright claims in the context of cinematograph films, in this country, is generally regarded as

- (a) R.G.Anand v. Delux Films and Ors.
- (b) Fraser v. Thames Television Ltd
- (c) Urmi Juvekar Chiang v. Global Broadcast News Limited
- (d) Matthew Bender & Co., Inc. v. West Publishing Co

(3) Copyright law applies to forms of expression contained in-

- (a) Song lyrics and musical compositions
- (b) Sculptures and paintings
- (c) Dramatic and literary works
- (d) All of the above

(4) The duration of protection of copyright in relation to literary and dramatic works is?

- (a) 70 years
- (b) 10 years
- (c) Life of the creator
- (d) The life of the creator plus 70 years

(5) Which of the following would NOT allow protection through copyright?

- (a) Ideas
- (b) Music and broadcasts
- (c) Typological arrangements of published editions
- (d) Dramatic productions

(6) In relation to copyright, time-shifting refers to which of the following?

- (a) Altering the time of registering copyright of a product
- (b) Removing the time of the copyright protection
- (c) A protection for persons with disabilities to circumvent copyright laws relating to recordings
- (d) To enable individuals to record a broadcast and view/listen to it at a later time

(7) Which one of the following actions is not a breach of copyright?

- (a) To import copied CDs.
- (b) To make a copy of a CD and sell it.
- (c) To borrow a CD from a friend and copy it to your laptop for your own private use.
- (d) To purchase a CD and copy it to your laptop for your own private use.

(8) Which of following would not gain copyright protection?

- (a) A DVD
- (b) An unrecorded speech
- (c) Written lyrics of a song
- (d) A hand knitted jumper

	<p>(9) Where the theme is the same but is presented and treated differently so that the subsequent work becomes a completely new work, will it amount to infringement of copyright?</p> <p>(a) Yes (b) No (c) Not sure (d) May be</p> <p>(10) The plaintiff in the mentioned case stated that the story of Lootcase is similar to which of the following movies?</p> <p>(a) Malamal weekly (b) Tukka fit (c) Money hai toh honey (d) Apna sapna money money</p>	
Q2	Discuss one case study each on geographical indication, copyright and patent infringement	CO2
	Section D (Scan and upload)	2Qx10M= 20 Marks
Q1	Discuss various patent search engines with their advantages and disadvantages	CO3
Q2	Discuss in detail the patent filing procedure along with required documents	CO4