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63/2 (SEM-1) BIT 106 (OE)

2021

(held in 2022)

BIOTECHNOLOGY

(Theory Paper)

Paper Code : BIT-106 (OE)

(Intellectual Property Rights)

Full Marks – 50

Time – Two hours

The figure in the margin indicate full marks
for the questions.

1. Choose the correct answer : $1 \times 10 = 10$

(i) Intellectual Property Rights protect the use
of information and ideas that are of

(a) Social value (b) Moral value

(c) Commercial value (d) Ethical value

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(ii) Intellectual Property Rights in India covers

- (a) Patents
- (b) Copyrights
- (c) Trade-marks
- (d) All of these

(iii) Statement A : Intellectual Property is a category of property that includes intangible creations of the human intellect.

Statement B : IPR does not include trade secrets and moral rights.

- (a) Both the statements A and B are correct
- (b) Both the statements A and B are incorrect
- (c) Statement A is correct but B is incorrect
- (d) Statement B is correct but A is incorrect

(iv) Which among the following is not a correct statement regarding patent ?

- (a) A patent is a legal protection granted for invention that is new, non-obvious and useful

(b) The patent grants the patent holder the exclusive right to make use or sell the patented products or process

(c) The exclusive purpose of the patent system is to benefit the patent holder

(d) The Indian Patent Act, 1970 was amended and made effective from January 1, 2005

(v) Symbol of Maharaja of Air India is

- (a) Copyright
- (b) Patent
- (c) Trade-mark
- (d) Design

(vi) License is issued to other person to make use of patented invention in industrial use

_____.

- (a) without consideration of patentee
- (b) only with consideration of patentee
- (c) only after paying to the government
- (d) None of the above

(vii) The National Biodiversity Authority (NBA) was established in _____ at _____ to implement India's Biological Diversity Act (2002).

- (a) 2003, Chennai
- (b) 2002, Chennai
- (c) 2003, Pusa, New Delhi
- (d) 2002, Pusa, New Delhi

(viii) Main objectives of The International Treaty on Plant Genetic Resources for Food and Agriculture are

- I. The conservation of biological diversity
- II. The sustainable use of the components of biological diversity
- III. The fair and equitable sharing of benefits arising out of the utilization of genetic resources

- (a) Only I is true
- (b) I, II are true
- (c) I, III are true
- (d) All of the above

(ix) Which of the following is patentable ?

- (a) Invention or process by a person
- (b) Method of agriculture or horticulture
- (c) Mathematical method
- (d) Computer program

(x) The General Agreement on Tariffs and Trade came into force on _____.

- (a) 1st January, 1948
- (b) 15th January, 2020
- (c) 7th March, 1950
- (d) 20th March, 1954

2. Answer in short for the following : $1 \times 10 = 10$

- (a) Give two examples of Geographical Indicator.
- (b) What is the duration of Copyright for literary, dramatic, musical and artistic works ?
- (c) Under whose office the Patent system in India is administrated ?

- (d) Who can apply for registering a new plant variety under PPVFR Act, 2001 ?
- (e) What is the law that provides protection for semiconductor IC layout designs ?
- (f) What is the significance of IPR ?
- (g) A method of treatment of malignant tumour cells is patentable / not patentable ? Give reason for your answer.
- (h) According to trademark law in India who is given the power to withdraw or transfer cases ?
- (i) Who is a breeder ?
- (j) Define a new plant variety.

3. Write short notes on any *two* : $5 \times 2 = 10$

- (a) The Patent Cooperation Treaty
- (b) IP valuation methods
- (c) The Berne Convention
- (d) Cartagena Protocol on Biosafety.

4. Answer any *two* from the following : $10 \times 2 = 20$

- (a) What is SICLDR ? Differentiate between Semiconductor integrated Circuit and Layout Design. Briefly describe semiconductor integrated Circuit Layout Design Act, 2000.
- (b) What are the different types of trademarks ? How is a trademark distinguished from patent, design and copyright ?
- (c) Briefly outline the patentable criteria and patentable subject matter for the grant of patent.
- (d) State the objectives of Protection of Plant Varieties and Farmers' Rights Act (PPVFR), 2001. Describe the criteria required for registering a new plant variety under the Protection of Plant Varieties and Farmers' Rights Act (PPVFR), 2001.