

Examination: PG Diploma Intellectual Property Rights

**SECTION 1 - SECTION 1**

**Question No.1**

The inventions which are not patentable under the Patents Act, 1972, have been mentioned under:

- Section 11
- Section 5
- Section 8
- Section 3

**Question No.2**

Unfair application of patents to genetic resources and traditional knowledge is \_\_\_\_\_.

- Infringement of patent
- Bio prospecting
- Biopiracy
- Knowledge theft

**Question No.3**

A copyright is a kind of \_\_\_\_\_ property

- personal property
- Immovable property
- personal and movable property
- Movable property

**Question No.4**

Which of these do not fall under trademark:

- Vaseline
- McDonalds
- Darjeeling tea
- Coca Cola

**Question No.5**

In 'quid-pro-quo', quo stands for

- knowledge disclosed to the public
- monopoly granted for the term of the patent
- exclusive privilege of making, selling and using the invention
- None of these

**Question No.6**

Which of the following is an example of geographical indication?

- Pochampalli Saree
- Champagne & Pochampalli Saree

- Hawaiian cigars
- Champagne

#### Question No.7

Statement A: Sound marks are not protected by the Indian Trade Mark Act.

Statement B: A Sound marks is a conventional trademark.

Choose the correct options from the following:

- Both A and B are incorrect
- A is incorrect and B is correct
- Both A and B are correct
- A is correct and B is incorrect

#### Question No.8

Utility model generally protects \_\_\_\_\_

- Ornamental function of the product
- Traditional knowledge
- Industrial Design
- Technical Inventions

#### Question No.9

The work of copyright which subsist in musical work is \_\_\_\_\_.

- Music and its graphical notation
- lyrics
- Performance by Actors
- Songs

#### Question No.10

Intangible assets of a company comprise of all of the following EXCEPT:

- Brand name
- Human capital
- Financial assets
- Know how

#### Question No.11

A Patents grants \_\_\_\_\_ to the inventor to make, use or sale an invention.

- Exclusive right for definite period of time
- Monopoly rights
- Absolute rights
- Administrative rights

#### Question No.12

An IC layout design is not registerable in which of the following circumstances?

i. If it is Not original

- ii. If it is not inherently distinctive
  - iii. If it is Commercially exploited anywhere in India or in a convention country
  - iv. If it is not exploited commercially for more than 2 years from date of registration of application.
- only (i)
  - (i),(ii) and (iii)
  - both (i) and (ii)
  - Only( iv)

### Question No.13

Design does not include

- features of shape
- composition of lines or colours
- mode or principle of construction
- None of these

### Question No.14

When the compulsory licence is granted by the board for the unpublished word, then the licensee has to deposit the amount fees or royalty in\_\_\_\_\_

- Public account
- To the government
- RBI.
- Copyright office

### Question No.15

Certification mark can be registered in

- MHRD
- Trademark Registry
- Certification Board
- Quality Control Board

### Question No.16

\_\_\_\_\_ is a process to determine the monetary value of Intellectual property.

- IP valuation
- IP mapping
- IP pooling
- IP determination

### Question No.17

\_\_\_\_\_ is an assessment in relation to IP assets that involves verification of all material facts relevant to the potential investment or purchase.

- Auditing
- Due diligence
- Mapping
- None of these

**Question No.18**

Symbol of Maharaja of Air India is

- Copyright
- Patent
- Trademark
- All of these

**Question No.19**

Copyright law applies to forms of expression contained in,-

- Song lyrics and musical compositions
- Sculptures and paintings
- Dramatic and literary works
- All of these

**Question No.20**

Which of the following deals with Offence of infringement of copyright or other rights under Copyright Act, 1957?

- Chapter XI, Sections 60 to 65
- Chapter XIII, Sections 63 to 70
- Chapter XIV, Sections 68 to 72
- Chapter XII, Sections 65 to 70

**Question No.21**

An agreement between two companies granting each the right to practice the other's intellectual property is called \_\_\_\_\_.

- Equitable assignment
- Exclusive licence
- Non exclusive licence
- Cross-licence

**Question No.22**

Trade mark

- is represented graphically
- is capable of distinguishing the goods or services of one person from those of others
- may includes shapes of goods or combination of colours
- All of these

**Question No.23**

Which among the following varieties can be registered under the PPVFR Act, 2001?

- New varieties , Extant variety, Farmers' variety and Essentially derived varieties
- Livestock
- Farmers' variety and Essentially derived varieties

- New varieties and Extant variety

#### Question No.24

Which of the following is not an intellectual property law?

- Copyright Act, 1957
- Trademark Act, 1999
- Customs Act, 1962
- Patent Act, 1970

#### Question No.25

Which among the following is an unidentifiable intangible asset?

- Lease hold
- Franchise
- Information databases
- Good will

#### Question No.26

Collective Mark is registered to distinguish the goods or services of

- A Company
- An Association of person
- A Partnership firm
- An Individual

#### Question No.27

\_\_\_\_\_ is the International organization dealing with setting of international standards and norms for the protection and administration of intellectual property.

- UNDP
- WTO
- WCO
- WIPO

#### Question No.28

Which of the following is one of the objectives of competition law in India?

- Protection of consumer's interest
- Economic prosperity of the Nation.
- To ensure smooth commencement of global trade
- None of these

#### Question No.29

A register to be called the \_\_\_\_\_ containing a copy of every Agreement entered into by copyright society with the owners for the purpose

- Register of sale deeds
- Register of Agreement

- register of fees
- register of contract

### Question No.30

Which of the following offence is most likely to be associated with the doctrine of pith and marrow and the doctrine of equivalents?

- Infringement of copy right
- Infringement of trade mark
- Infringement of geographical indication
- Infringement of patent

### Question No.31

The copyright society means a society registered under\_\_\_\_\_.

- Section 33(2)
- Section 33(1)
- Section 33(3)
- section 33 (4)

### Question No.32

Statement A: Author of a work shall have the right to claim authorship of the work even after the assignment either wholly or partially of the authors copyright.

Statement B: Right to claim authorship of the work may be exercised by the legal representatives of the author.

Choose the right option from the following:

- Both A and B are incorrect
- A is correct and B is incorrect
- Both A and B are correct
- A is incorrect and B is correct

### Question No.33

Khadi is

- Collective Mark
- Certification Mark
- Trademark
- Trademark and Certification Mark

### Question No.34

The agreement that is enforceable by law is known as

- Unenforceable agreement
- Void agreement
- Valid agreement
- Illegal agreement

### Question No.35

The rights provided by copyrights are

- Reproduction of the work in various forms
- Public performance and translate into other languages
- Broadcasting by radio or cable
- All of these

#### Question No.36

Which of the following represents an agreement between two or more patent owners to license one or more of their patents to one another or to third party?

- Compulsory Licence
- Patent Pools
- Voluntary licence
- Patent Troll

#### Question No.37

Hall Mark is

- Trademark
- Collective Mark
- Certification Mark
- Certification and Collective Mark

#### Question No.38

Inventor can protect its creation under which of the following:

- Copyright and related rights
- Geographical indications
- Patents
- Trademarks

#### Question No.39

Traditional knowledge includes:

- Collective practices
- Practices evolved through Trial and error
- Agricultural knowledge
- All of these

#### Question No.40

Olfactory/smell/scent marks falls under ----- trademarks:

- Unusual
- Well known
- Unconventional
- Conventional

#### Question No.41

The work of copyright which subsist in artistic work is \_\_\_\_\_

- A work of architecture
- sculpture.
- Map
- All of these

#### Question No.42

Who administer UDRP?

- Supreme Court
- WIPO
- High court
- WTO

#### Question No.43

Who can register Geographical Indication?

- Individual
- Company
- Producers
- None of these

#### Question No.44

The first owner of the computer programme is \_\_\_\_\_

- Proprietor
- designer of software
- Author
- Creator

#### Question No.45

Which of these is not a condition that is applicable on 'permitted use' by third parties without registration under trademark Act 1999?

- Where the consent of the registered proprietor has been obtained under a written agreement
- Where there is a similarity to a registered trademark
- Where the use complies with the conditions or limitations to which the user is subject to.
- Where the trademark is used in during the course of user trade

#### Question No.46

Which of the following is an intellectual property" as per IPR Laws in India

- Original literary work;
- Industrial Design of Maruti800 car;
- Trademark of Tata company
- All of these

#### Question No.47

Section \_\_\_\_\_ defines copyright under copyright Act-1957.

- 14
- 15
- 12
- 3

#### Question No.48

An arrangement under which a licensee agrees to allow the licensor to implement licensee's improvements or innovative achievements in the licensed technology is called:

- computing
- Skiing
- Grantbacks
- Cartel

#### Question No.49

What is an 'article' for the purpose of registration of a design?

- stamps
- labels
- tokens
- shape of the Coca-Cola bottle

#### Question No.50

The first owner of the cinematograph film is \_\_\_\_\_.

- actors
- director
- Producer
- Composer

#### Question No.51

\_\_\_\_\_ is based on potential economic returns that could be earned from product and services developed from IP.

- Real options valuation
- Market based valuation
- Cost based valuation
- Brand strength approach

#### Question No.52

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

- Commercial value
- Social value
- Moral value

### Question No.53

In India first Copyright Act was passed in \_\_\_\_\_.

- 1914
- 1842
- 1911
- 1709.

### Question No.54

Absolute grounds for refusal of registration of trademark are given under:

- Section 9 of the Trademarks Act
- Section 7 of the Trademarks Act
- Section 11 of the Trademarks Act
- Section 5 of the Trademarks Act

### Question No.55

Which of the following is (are) included in Geographical indications of Goods

- Handicraft
- Foodstuff
- Manufactured
- All of these

### Question No.56

The copyright board shall be deemed to be a

- High Court
- Civil Court
- Supreme Court
- Criminal Court.

### Question No.57

The moral right is recognized as \_\_\_\_\_ under section 57 of Copyright(Amendment) Act-1994.

- statutory right
- Author special rights
- negative right.
- Neighboring right

### Question No.58

If the term of the years of the assignment is not mentioned then it is assigned for \_\_\_\_\_ years under the copyright Act.

- 6 months
- 3 years

- 5 years
- 2 years.

#### Question No.59

Which among the following are international legal instruments associated with protection of plant varieties.

- i. TRIPS
  - ii. UPOV
  - iii. ITPGRFA
  - iv. CBD
- only (i)
  - both (i) and (ii)
  - (i),(ii) and (iii)
  - All of these

#### Question No.60

Which of the following international conventions deals with a single window system for filing patents?

- The Berne Convention
- The Paris Convention
- The Patent Co-operation Treaty
- The TRIPS

#### Question No.61

The important features of the Paris Convention, 1883 are:

- Right of priority and National treatment
- Protection against unfair competition
- Literary work
- Both Right of priority and National treatment and Protection against unfair competition

#### Question No.62

The names of gods or holy books in India:

- can be trademarked to sell goods and services
- cannot be trademarked to sell goods and services
- The name of holy book can be trademarked but not the God.
- None of these

#### Question No.63

What is the aim of the Traditional Knowledge Digital Library?

- It aims to document traditional medicine.
- It aims to prevent the patenting of existing knowledge.
- It aims to Integration with other digital libraries
- All of these

#### Question No.64

The Chairman or any other member of the Copyright Board may resign his office by giving \_\_\_\_\_ notice in writing to the Central Government.

- 6 months
- 2 months
- 1 month.
- 3 months

#### Question No.65

The following cannot be exploited by assigning or by licensing The rights to others.

- Patents
- Designs
- Trademark
- All of these

#### Question No.66

If the territorial limit is not mentioned in the agreement, then it will be extended to \_\_\_\_\_.

- whole world
- Whole of India
- Only to particular State
- only to particular District

#### Question No.67

Reproduction rights means:

- Excluding others from making copies of the protected work.
- Right to object to any distortion, mutilation in relation to the work prejudicial to the author's honour and reputation.
- Rights of producers of phonograms in their phonograms.
- Preventing the broadcasting of a performance.

#### Question No.68

Certification mark indicates

- Source
- Source, Quality and Quantity
- Quantity
- Quality

#### Question No.69

If any translation of the literary and dramatic work is required for teaching and research purpose, then any person can apply for licence after \_\_\_\_\_ years.

- 1 year
- 3 years
- 2 years
- 5 years

**Question No.70**

Collective Mark is registered by

- Individual
- Company
- Association of person
- Partnership firm

**Question No.71**

Which of the following is an example/ are examples of misappropriation of Genetic resources and traditional knowledge

- Neem patent
- Nap Hal patent
- Automobile patent
- Both Neem patent and Nap Hal patent

**Question No.72**

The first owner of the artist work is \_\_\_\_\_.

- Planner
- Artist
- painter.
- architect

**Question No.73**

The people who are entitled to apply for the registration of the copyright are\_\_\_\_\_.

- Author & artist
- assignee and licensee
- Composer & producer
- All of these

**Question No.74**

The systematic and organized search for useful products derived from natural life generated materials and processes is -----

- Natural science research
- Bioprospecting
- Traditional knowledge
- Genetic research

**Question No.75**

'Goods' as per the Geographical Indications of Goods (Registration and Protection) Act, 1999 means to include:

- i. any agricultural, natural or manufactured goods
- ii. Every kind of movable property other than actionable claims and money

iii. Stock and shares, growing crops, grass, and things attached to or forming part of the land.  
iv. any goods of handicrafts or of industry and includes food stuff.

- Both (i) &(iv)
- Both (ii) &(iii)
- Both (ii) & (iv)
- Both (i) &(iii)

#### **Question No.76**

The following can be patented

- Machine
- Process
- Composition of matter
- All of these

#### **Question No.77**

Industrial property includes:

- Patents; Industrial designs; Trademarks; Geographical Indications
- Patents; Utility models; Industrial designs; Trademarks; Geographical Indications
- Patents; Utility models; Trademarks
- Patents; Utility models; Industrial designs; Geographical Indications

#### **Question No.78**

The first owner of the question paper of an examination is

- Examiner
- COE
- Paper setter
- Principal

#### **Question No.79**

The original work created by artists are protected under

- Trademarks
- Design
- Patents
- Copyright

#### **Question No.80**

Who shall be the Secretary of the Copyright Board to perform the function as prescribed

- Chairman.
- Vice chairman
- Central Government
- Registrar

#### **Question No.81**

The work of copyright which subsist in literary work is \_\_\_\_\_.

- tables
- computer programmes
- Novel
- All of these

#### Question No.82

The term "WIPO" stands for:-

- World Investment policy organization
- Wildlife Investigation and Policing organization
- World intellectual property organization
- World institute for Prevention of organized crime

#### Question No.83

In case of posthumous publication, the term will be for how many years.

- 10 years
- 50 years
- 5 years
- 60 years

#### Question No.84

A famous T V actor wants to launch his own clothing lines. What form of intellectual property protection he should resort to protect his business from infringement.

- Filling for copyright registration
- Filling for patent registration
- Filling for trademark registration
- All of these

#### Question No.85

Compulsory licence for the unpublished shall be granted by the registrar only when the author is \_\_\_\_\_.

- Dead
- not found
- Unknown
- All of these

#### Question No.86

Which of the following Judgment(s) deals with copyright infringement?

- R.G.Anand v. Delux Films
- Novartis v. Union of India
- Star India Pvt. Ltd. v. Leo Burnett
- Biswanath Prasad Radhey Shyam v. Hindustan Metal Industries

### Question No.87

When owner of the copyright become \_\_\_\_\_ the copyright will vest in official receiver and it will pass to the trustee of the bankrupt estate as asset for distribution among creditors.

- Criminal
- Unsound mind
- Bankrupt
- Insolvent

### Question No.88

The term 'Intellectual Property Rights' covers

- Copyrights
- Know-how
- Trade dress
- All of these

### Question No.89

The owner of the sound recording is \_\_\_\_\_

- Producer
- director
- Composer
- artist

### Question No.90

The assignment of copyright is valid only when it is in \_\_\_\_\_ signed by the assignor or by his agent

- deeds
- Oral
- contract.
- c.Writing

### Question No.91

Berne Convention, 1886 deals with protection of which of the following:

- Standards
- Industrial property
- Literary and artistic work
- Patents

### Question No.92

Trademark protect which of the following :

- Logos, names and brands.
- appearance of the article
- shape, color, and pattern of a product
- An idea or invention

### **Question No.93**

In India, patent protection is granted for:

- 21 years
- 20 years
- 7 years
- 14 years

### **Question No.94**

'National treatment' is the basic principle under which of the following WTO agreement (s):

- The General Agreement on Tariffs and Trade
- General Agreement on Trade in Services
- Agreement on Trade-Related Aspects of Intellectual Property Rights
- All of these

### **Question No.95**

FPO Mark is

- Collective Mark
- Industrial standard
- Certification Mark
- Service mark

### **Question No.96**

Computer Programs can be included in the definition of:

- Scientific work
- Literary work
- Artistic work
- None of these

### **Question No.97**

In India, generally the term for copyright protection after the death of owner of work is

- 50 years
- 10 years
- 20 years
- 60 years

### **Question No.98**

Which of the following act(s) does not constitute an infringement of copyright in literary, dramatic, musical or artistic work?

- (i) Private use including research.
  - (ii) Criticism or review, whether of that work or of any other work.
  - (iii) Reporting current events in a newspaper, magazine or similar periodical.
  - (iv) Commercial use.
- both (i) &(iii)

- both (ii)&(iii)
- (i) , (ii) & (iii)
- All of these

### Question No.99

The copyright will pass on to his personal representative as part of estate if such person dies \_\_\_\_\_.

- Testamentary disposition(through will)
- By operation of law.
- Through assignment.
- Intestate (without making will).

### Question No.100

Descriptive marks are not protected because:

- They need too much documentation
- They are too distinctive
- They are not inherently distinctive
- They are expensive