

## MODEL ANSWERS

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### SEMESTER END THEORY EXAMINATION

B.Sc. (Hons.) Agriculture

|            |              |       |                               |               |           |
|------------|--------------|-------|-------------------------------|---------------|-----------|
| Semester   | : V (New)    | Term  | : I                           | Academic Year | : 2020-21 |
| Course No. | : BOT-353    | Title | : Intellectual Property Right |               |           |
| Credits    | : 1 (1+0)    |       |                               |               |           |
| Day & Date | : 27.01.2021 | Time  | : 1.00 Hr                     | Total Marks   | : 40      |

- Note:**
1. Solve ANY FOUR questions from SECTION – A
  2. Solve ANY SIX questions from SECTION – B
  3. ALL questions from SECTION – C are compulsory
  4. Send the PDF file of answer sheet to the email id of respective course teacher

### SECTION – A

(Write the answers in 4-5 sentences only. Each question carries 4 marks)

**Q. 1 Enlist the objectives of PPV & FR Act**

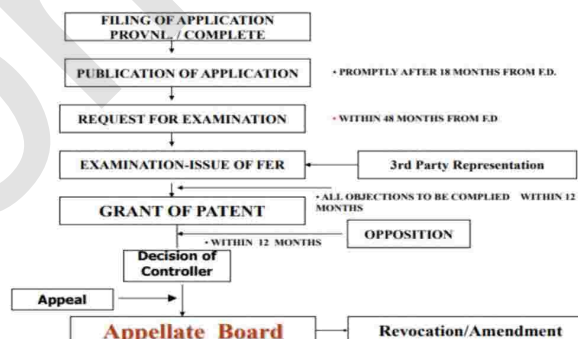
**Ans Objectives of PPV & FR Act are :** [1] To encourage scientists, farmers, communities for the development of new plant varieties having quality and production potential [2] Registration of varieties for legal protection [3] Characterization and documentation of registered varieties [4] Ensuring the availability of quality seeds of registered varieties under this Act [5] Establishing Gene Funds for rewards and compensation (At least four objectives with short description should be given 1 mark each maximum 4 marks)

**Q. 2 State the requirements of patent**

**Ans Requirements of patent:** [1] Invention relates to a patentable subject-matter [2] Novelty [3] Inventive step or Non-Obviousness [4] Capable of Industrial Application etc., (Short description should be given for each point. 1 mark for each point, maximum 4 marks)

**Q. 3 Give the process for filing of patent with the help of flow chart**

**Ans** Short discussion along with following flow chart should be given



(2 marks for correct Flow chart and 2 marks for short description of each step)

**Q. 4 Enlist the subject matters protected and period of protection under copyright.**

**Ans Copyright Protects subject matters viz.,** [1] Literary work [2] Dramatic and musical work [3] Computer programs/software are covered within the definition of literary work [4] Artistic work [5] Cinematographic films which include sound track and video films [6] Record-any disc, tape, perforated roll or other device. (1/2 mark for each point = 3 Mark)

**Period of protection:** Generally lifetime of author plus sixty years after death (1 Mark)

**Q. 5 Give the classification of IPR**

**Ans Classification of IPR:** [a] Industrial IPR viz., Patent, Trade Marks, Trade Secret, Design, Geographical Indications etc., [b] Copy rights viz., literary and artistic works [c] Plant Breeders rights, PPV & FR Act etc.,

## SECTION – B

(Write the answers in one sentence only. Each question carries 2 marks)

**Q. 6 Do as directed (Any Six)**

**a) Define geographical indication along with suitable examples.**

**Ans Geographical Indications:** GI referring to a country or to a location situated therein as being a origin of that product insuring the quality of that product. (1 Mark for correct definition)

**Examples:** Solapur Chaddar, Darjeeling Tea, Kanchipuram Silk Saree, Nagpur Orange etc., (½ Mark each correct example maximum 1 mark)

**b) What is essentially derived variety?**

**Ans Essentially derived variety:** It is essentially derived from an initial variety which retains expression of the essential characteristics and clearly distinguishable from the initial variety (2 marks for correct definition)

**c) Spell out TRIPs and ITPGRFA**

**Ans TRIPs :** Trade Related Aspects of Intellectual Property Rights

**ITPGRFA :** International Treaty on Plant Genetic Resources for Food and Agriculture  
(1 mark each for correct full form of abbreviation)

**d) Enlist various types of patent applications**

**Ans Types of patent applications:** [a] Ordinary patent application [b] Conventional application [c] PCT application [d] Patent in addition [e] Divisional patent  
(At least four points should be given ½ marks each maximum 2 marks)

**e) State important benefits of IPR.**

**Ans Benefits of IPR:** [a] Provides exclusive rights to the creators or inventors. [b] Encourages individuals to distribute and share information and data instead of keeping it confidential. [c] Provides legal defense and offers the creators the incentive of their work. [d] Helps in social and financial development.  
(At least four points should be given ½ marks each maximum 2 marks)

**f) List out the main objectives of CBD**

**Ans Main objectives of CBD:** [1] conservation of biological diversity [2] sustainable utilization of components of biodiversity; and [3] fair sharing of benefits arise due to utilization of genetic resources (At least two points should be given 1 mark each maximum 2 marks)

**g) Enlist Non Patentable inventions in India**

**Ans Non Patentable inventions in India :** [a] Furious inventions [b] inventions contrary to law/human life [c] mere discovery of known substance [d] methods of agriculture/horticulture [e] medical/surgical techniques [f] plants or animals as whole [g] atomic energy etc., (At least four points should be given ½ marks each, maximum 2 marks)

## SECTION - C

**Q. 7 (Choose the correct option. Each question carry 1 mark)**

1) \_\_\_\_\_ is kind of IPR which is known to be global in nature

[a] Patent

[b] Copyright

[c] PPV & FRA

[d] None of these

2) The public domain variety which is notified under Seed Act 1966 is termed as \_\_\_\_\_

[a] Extant Variety

[b] New Variety

[c] Farmers Variety

[d] Essentially Derived Variety

3) State of art (Prior art) includes \_\_\_\_\_

[a] Prior used

[b] Prior published

- [c] Prior knowledge [d] **All of these**
- 4) Choose correct IPR authority and its Headquarter in India  
 [a] PPV & FRA – Chennai [b] **Trade Mark – Mumbai**  
 [c] GI – New Delhi [d] Patent Authority – Bangalore
- 5) Under PPV FRA Act, 2001, Farmers gets rights for \_\_\_\_\_  
 [a] Re-sow and exchange of farm produce [b] Protection from innocent infringement  
 [c] Exemption of DUS testing fees [d] **All of these**
- 6) Choose incorrect combination of invention and IPR  
 [a] Krishi Patrika – Copyright [b] Plough Design – Design Patent  
 [c] Plant Variety – Trade Secret [d] **Pickle Recipe – Process Patent**
- 7) \_\_\_\_\_ concerns the international patent process for microorganisms.  
 [a] Paris Convention [b] Berne Convention  
 [c] **Budapest Treaty** [d] Madrid Protocol
- 8) \_\_\_\_\_ advises to central government regarding biodiversity conservation and its sustainable utilization.  
 [a] **National Biodiversity Authority** [b] State Biodiversity Board  
 [c] Biodiversity Management Committee [d] None of these
- 9) In India, PPV & FR Act, 2001 enacted since \_\_\_\_\_  
 [a] Nov 2001 [b] Nov 2003  
 [c] **Nov 2005** [d] Nov 2007
- 10) Intellectual Property Rights protects benefits of \_\_\_\_\_  
 [a] Inventor or Creator [b] Investor  
 [c] Customer [d] **All of these**
- 11) A trademark may be \_\_\_\_\_  
 [a] Symbol [b] Phrase  
 [c] Word [d] **All of these**
- 12) The limitations of Patent includes \_\_\_\_\_  
 [a] Cost of renewal fees [b] Disclosure of information  
 [c] Limited period protection [d] **All of these**

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**Signature of the Course Teacher**

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