

SEMESTER END THEORY EXAMINATION
B.Sc. (Hons.) Agriculture

Semester	: V (New)	Term	: I	Academic Year	: 2021-22
Course No.	: BOT-353	Title	: Intellectual Property Rights		
Credits	: 1 (1+0)				
Day & Date	: 23.11.2021	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 Define IP and IPR. Enlist different types of IPR under WTO

IP: Intellectual Property is something produced using human intellect which has commercial value.

IPR: A right that is had by a person or by a company to have exclusive rights to use its own plans, ideas, or other intangible assets without the worry of competition, at least for a specific period of time

(1 Mark each for correct definition, maximum 2 marks)

Types of IPR under WTO: Patent, Trade Marks, Trade Secret, Design, Geographical Indications, Copy rights *(½ Mark each for correct type of IPR, maximum 2 marks)*

Q. 2 Write down the objectives and period of protection of plant varieties under PPV & FR Act

Objectives of PPV & FR Act are as follows

- 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

(½ Mark each for correct objective, maximum 2 marks)

Period of protection

- a) 18 years from the date of registration of the variety in the case of trees and vines;
- b) 15 years from the date of notification of extant plant varieties

(1 Mark each for correct period of protection, maximum 2 marks)

Q. 3 Define Patent. Discuss requirements of Patent.

Patent: A patent is a form of intellectual property that gives its owner the legal right to exclude others from making, using, selling, and importing an invention for a limited period of years, in exchange for publishing an enabling public disclosure of the invention

Requirements of patent:

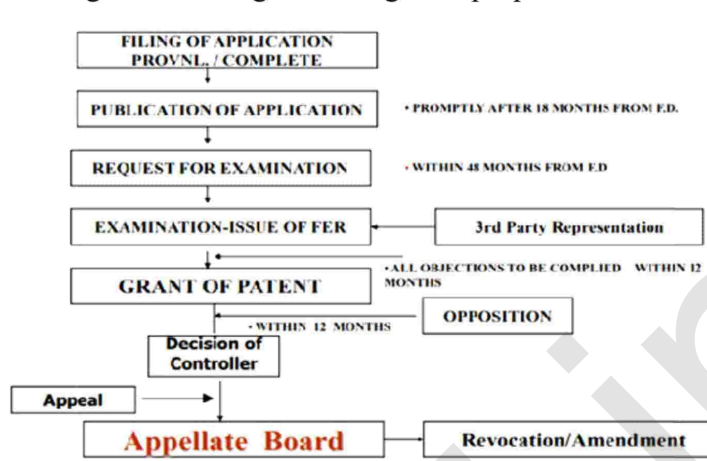
- 1] Invention relates to a patentable subject-matter [2] Novelty [3] Inventive step or Non-Obviousness [4] Capable of Industrial Application etc.,

(Definition 1 mark, Brief description for each point under requirement of patent-3 Mark)

Q. 4 Enlist any four benefits of PCT

Benefits of PCT: (i) brings one application filing with one single language which in turn is valid in PCT member countries, provides single time examination of the patent instead each member country, (ii) the prior art can be easily judged in order to get a patent, (iii) bring down one single communication to all designated offices, provides any person from the member country to file single opposition regarding the patentability of the invention, (iv) provides uniform procedure and

- Q. 5 Explain steps of process for filing of patent with the help of flow chart
Short description for each stage should be given along with proper flow chart



(2 mark Flow chart and 2 marks for brief description of each step)

SECTION-B

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

- Q. 6 Answer in one sentence

a) Enlist any two subject matters protected under copyright

Copyright Protects : [a] Literary, dramatic and musical work. [b] Computer programs/software are covered within the definition of literary work. [c] Artistic work. [d] Cinematographic films which include sound track and video films. [e] Record-any disc, tape, perforated roll or other device.

(Any two examples 1 mark each, maximum 2 marks)

b) What is the difference between process patent and product patent?

Process patent: It is granted only to a particular process and not to the end product whereas, **Product patent:** It is granted to the original inventor of the product. (2 marks for correct difference)

c) Differentiate between trade mark and trade secret

Trade Mark: is a distinctive sign or symbol used by a business organization or individual, used to differentiate the entity's products and services from others whereas, **Trade Secrets** is a design, formula, process or other piece of IP that is not known providing an economic advantage (2 marks for correct difference)

d) What kind of rights obtained to farmers through Farmer's Rights?

It gives right to save, use, sow, re-sow, exchange, share his farm produce including seed of a protected variety (½ marks for each type, maximum 2 marks)

e) Define EDV

Essentially derived variety is essentially derived from an initial variety retaining expression of the essential characteristics and clearly distinguishable from the initial variety (2 marks for correct definition)

f) Spell out NBA and SBB

NBA - National Biodiversity Authority

SBB - State Biodiversity Board (1 marks for correct full form)

g) Enlist types of varieties which can be registered under PPV & FR Act

Four types of varieties can be registered [a] New variety [b] Extant variety [c] Farmer's Variety and [d] Essentially derived variety (½ marks for each type, maximum 2 marks)

Q. 7

- 1) BHS stands for _____
a) **Biodiversity Heritage Site** b) Biodiversity Heritage Spot
c) Biodiversity Herbal Stock d) None of these
- 2) The application of Transgenic varieties needs bio-safety approval from _____
a) **GEAC** b) GURT
c) ITGRFA d) UPOV
- 3) College Magazine can be protected by _____
a) Patent b) **Copyrights**
c) Trade secret d) Design
- 4) Human skills and ideas are example of _____ type of property
a) Tangible b) **Intangible**
c) Productive d) All of above
- 5) IPR is granted for fixed term except _____ and _____
a) **Trademark and GI** b) Patent and Copyright
c) FRA and Patent d) None of these
- 6) IP ownership is an incentives for _____
a) **Inventor** b) Consumer
c) Competitors d) All of above
- 7) The Head office of NBA is located at _____
a) Mumbai b) New Delhi
c) **Chennai** d) Kolkata
- 8) IPR provide protection to inventor against _____
a) Competition b) Marketing
c) **Transgression** d) None of these
- 9) _____ can't registered under Patent Act in India
a) Literacy items b) Atomic Energy related research
c) Methods of Agriculture d) **All of these**
- 10) Under PPV FRA, the owner of plant variety has rights of _____
a) To sell b) To market
c) To export d) **All of these**
- 11) Pattern or Structure of Plough can be protected under _____.
a) **Industrial Design** b) Patent
c) Trade secret d) Copyright
- 12) Undisclosed information is protected under _____
a) **Trade secret** b) Patent
c) Industrial design d) Copyright
