

National Testing Agency

Question Paper Name :	Intellectual Property 30 Sep 2020 Shift 1
Subject Name :	Intellectual Property
Creation Date :	2020-09-30 13:30:27
Duration :	180
Number of Questions :	100
Total Marks :	100
Display Marks:	Yes

Intellectual Property

Group Number :	1
Group Id :	89951464
Group Maximum Duration :	0
Group Minimum Duration :	120
Show Attended Group? :	No
Edit Attended Group? :	No
Break time :	0
Group Marks :	100
Is this Group for Examiner? :	No

Intellectual Property

Section Id :	89951470
Section Number :	1
Section type :	Online
Mandatory or Optional :	Mandatory
Number of Questions :	100
Number of Questions to be attempted :	100

Section Marks :	100
Mark As Answered Required? :	Yes
Sub-Section Number :	1
Sub-Section Id :	89951492
Question Shuffling Allowed :	Yes

Question Number : 1 Question Id : 8995145773 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No
Correct Marks : 1 Wrong Marks : 0

Intellectual property is a _____ property?

1. Tangible
2. Intangible
3. Physical
4. Real

Options :

89951422909. 1
89951422910. 2
89951422911. 3
89951422912. 4

Question Number : 2 Question Id : 8995145774 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No
Correct Marks : 1 Wrong Marks : 0

The Unifying Factor for all types of Intellectual Property is _____.

1. Commercial Value
2. Creativity
3. Differentiation
4. Innovation

Options :

89951422913. 1
89951422914. 2
89951422915. 3

89951422916. 4

Question Number : 3 Question Id : 8995145775 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Easy Replicability and Public Good Character distinguish _____ property from _____ property?

1. Intellectual, Real
2. Physical, Intellectual
3. Intangible, Intellectual
4. Movable, Intellectual

Options :

89951422917. 1
89951422918. 2
89951422919. 3
89951422920. 4

Question Number : 4 Question Id : 8995145776 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

_____ and _____ are the two components of intellectual property.

1. Copyright and Trademark
2. Copyright and Trade Secrets
3. Copyright and Industrial Property
4. Copyright and Geographical Indications

Options :

89951422921. 1
89951422922. 2
89951422923. 3
89951422924. 4

Question Number : 5 Question Id : 8995145777 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

Property Rights provide an Exclusionary Right?

1. In Personam
2. In Rem
3. In Posse
4. In Rebus

Options :

89951422925. 1
89951422926. 2
89951422927. 3
89951422928. 4

Question Number : 6 Question Id : 8995145778 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

Compulsory Licenses are primarily granted to serve _____?

- 1 Public Interest
2. Government
3. Corporates
4. Private Individuals

Options :

89951422929. 1
89951422930. 2
89951422931. 3
89951422932. 4

Question Number : 7 Question Id : 8995145779 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

In 1623, the Parliament of England passed the _____ which was a framework to grant patents for new inventions.

1. Statute of Monopolies
2. Statute of Anne
3. Merchandise Marks Act
4. Registration of Trademarks Act

Options :

89951422933. 1
89951422934. 2
89951422935. 3
89951422936. 4

Question Number : 8 Question Id : 8995145780 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

_____ agreed that patent monopolies are appropriate compared to earlier practices of rewards or privileges granted by the monarchy and the government.

1. Locke
2. Mill
3. Hegel
4. Nozick

Options :

89951422937. 1
89951422938. 2
89951422939. 3
89951422940. 4

Question Number : 9 Question Id : 8995145781 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Locke's version of this labour justification is based on the assumption that each individual has prior property rights in one's _____.

1. Body
2. Mind
3. Skills
4. Judgment

Options :

89951422941. 1
89951422942. 2
89951422943. 3
89951422944. 4

Question Number : 10 Question Id : 8995145782 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following theories is used to justify Intellectual Property?

1. John Stuart Mill's Utilitarian Theory
2. John Locke's Labour Theory
3. George Wilhelm Friedrich Hegel's Personality Theory
4. All of the above

Options :

89951422945. 1
89951422946. 2
89951422947. 3
89951422948. 4

Question Number : 11 Question Id : 8995145783 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following is a point of contact between free speech and copyright protection?

1. Idea-Expression Dichotomy
2. Merger Doctrine
3. Fair Use Doctrine
4. All of the above

Options :

89951422949. 1
89951422950. 2
89951422951. 3
89951422952. 4

Question Number : 12 Question Id : 8995145784 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following sub-sections of Section 3 of the Patent Act, 1970 governs the subject-matter eligibility (patent eligibility) of pharmaceutical substances?

1. Section 3 (d)
2. Section 3 (i)
3. Section 3 (e)
4. All of the above

Options :

89951422953. 1
89951422954. 2
89951422955. 3
89951422956. 4

Question Number : 13 Question Id : 8995145785 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

In the case of _____, the Supreme Court laid down tests for determining non-literal infringement of copyright in dramatic works when incorporated in a cinematograph film.

1. R.G. Anand versus Deluxe Films and Others
2. Eastern Book Company and Anr. versus D.B. Modak and Anr.
3. V. Errabhadrarao vs B.N. Sarma and Anr
4. Fateh Singh Mehta v. O. P. Singhal

Options :

89951422957. 1
89951422958. 2
89951422959. 3
89951422960. 4

Question Number : 14 Question Id : 8995145786 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Well-known marks granted heightened protection when compared to other marks because _____?

1. To prevent unfair use of the mark's reputation
2. To prevent harm to the reputation of the mark
3. To prevent consumer confusion
4. All of the above

Options :

89951422961. 1
89951422962. 2
89951422963. 3
89951422964. 4

Question Number : 15 Question Id : 8995145787 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following statements is not true?

1. Industrial Design law is not suitable for the protection of layout-designs of integrated circuits as they are functional in nature.
2. Data exclusivity provides legal protection for test and regulatory data for a specific period of time where any subsequent generic approval cannot be granted by relying on the data.
3. Non-Original databases are granted statutory protection in India.
4. Patent Linkage refers to the communication between the Ministry of Health and the Patent Office to prevent patent infringement by way of providing marketing approval to generic drugs only when the patent which covers the drug product or approved use expires.

Options :

- 89951422965. 1
- 89951422966. 2
- 89951422967. 3
- 89951422968. 4

Question Number : 16 Question Id : 8995145788 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which one of the following is *not* an exception to the patent regime as provided in the Patents Act, 1970?

1. Experimental or Scientific Use Exception
2. Foreign Vessels Exception
3. Bolar/Regulatory Review Exception
4. Stockpiling Exception

Options :

- 89951422969. 1
- 89951422970. 2
- 89951422971. 3
- 89951422972. 4

Question Number : 17 Question Id : 8995145789 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

Which one of the following grounds for granting a compulsory licence in respect of a patented invention is not covered by Section 92 of the Patents Act, 1970?

1. National emergency
2. Extreme urgency
3. Government Use
4. Public non-commercial use

Options :

89951422973. 1
89951422974. 2
89951422975. 3
89951422976. 4

**Question Number : 18 Question Id : 8995145790 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No
Correct Marks : 1 Wrong Marks : 0**

In which of the following cases, the Delhi High Court held that 'World Cup' is a dictionary word having the meaning of 'a tournament or event, where several nations participate' and not capable of conferring any exclusive rights for event organisers?

1. Bayer Corporation v. Union of India
2. ICC Development (International) Ltd. v. Arvee Enterprises and Anr.
3. Boston Athletic Association v. Mark Sullivan
4. None of the above

Options :

89951422977. 1
89951422978. 2
89951422979. 3
89951422980. 4

**Question Number : 19 Question Id : 8995145791 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No
Correct Marks : 1 Wrong Marks : 0**

The _____ theory states that the efficiency gains made by incentivizing innovation through allowing exclusionary rights (IPRs) are greater than the deadweight losses and other costs incurred by allowing artificial restrictions on the use of information goods.

1. Incentive
2. Natural Rights
3. Personhood
4. Utilitarian

Options :

89951422981. 1
89951422982. 2
89951422983. 3
89951422984. 4

Question Number : 20 Question Id : 8995145792 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The earliest legislation on Copyright was:

1. Statute of Monopolies, 1623
2. The Royal Charter, 1557
3. Statute of Anne, 1710
4. Merchandise Marks Act, 1862

Options :

89951422985. 1
89951422986. 2
89951422987. 3
89951422988. 4

Question Number : 21 Question Id : 8995145793 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which one of the following is *not* part of the exceptions to the rights conferred by a patent as laid down by Article 30 of the TRIPS Agreement?

1. Limited exceptions
2. Not unreasonably conflicting with the normal exploitation of the patent
3. Not unreasonably prejudicing the legitimate interest of the right holder taking into account the interests of third parties
4. Disclosure of Invention as pre-condition for grant of Patent

Options :

89951422989. 1
89951422990. 2
89951422991. 3
89951422992. 4

Question Number : 22 Question Id : 8995145794 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

In the _____ case, the Delhi High Court invalidated the BT Cotton Patent, by construing the narrow patent claim as falling within the broad biotechnology subject-matter exclusions.

1. Monsanto v. Nuziveedu
2. Dimminaco AG v. Controller of Patents
3. Mayo v. Prometheus
4. Relaxin

Options :

89951422993. 1
89951422994. 2
89951422995. 3
89951422996. 4

Question Number : 23 Question Id : 8995145795 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

With respect to the subject-matter of copyright, which one of the following statements is *not* true?

1. Copyright subsists in original literary/dramatic, musical and artistic works.
2. Copyright subsists in Cinematograph Films and Sound Recordings.
3. Copyright does not subsist in ideas, procedures, methods of operation, or mathematical concepts.
4. Copyright subsists in a cinematograph film even if a substantial part of the film is an infringement of the copyright in another work.

Options :

89951422997. 1

89951422998. 2

89951422999. 3

89951423000. 4

Question Number : 24 Question Id : 8995145796 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which one of the following is excluded from the subject-matter of design protection?

1. A Mere mechanical device, whose features are dictated solely by function.
2. Features of shape, configuration, pattern, ornament or composition of lines or colours applied to any article.
3. Features, which in the finished article appeal to and are judged solely by the eye.
4. Features, which are applied to an article by some industrial process or means.

Options :

89951423001. 1

89951423002. 2

89951423003. 3

89951423004. 4

Question Number : 25 Question Id : 8995145797 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

WIPO Copyright Treaty (WCT) and WIPO Performance and Phonograms Treaty (WPPT), formed by the WIPO to protect the Digital Rights Management (DRM) provide for:

1. A mandate for member states to provide legal protection and legal solutions against the evasion of the technological measures.
2. Right of Distribution and Rental for specific works.
3. A mandate for the member states to take adequate and effective legal steps against the unwarranted trifling of the rights management information (RMI).
4. All of the above

Options :

- 89951423005. 1
- 89951423006. 2
- 89951423007. 3
- 89951423008. 4

Question Number : 26 Question Id : 8995145798 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

_____ of IP Rights can legally take place in three regimes: National, Regional, and International

1. Infringement
2. Commercialization
3. Exhaustion
4. Enjoyment

Options :

- 89951423009. 1
- 89951423010. 2
- 89951423011. 3
- 89951423012. 4

Question Number : 27 Question Id : 8995145799 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following grounds are available as defences against a suit for infringement of patent?

1. Grounds for Revocation of Patent under Section 64
2. Bolar Exemption under Section 107A
3. Grounds under Section 47
4. All of the above

Options :

89951423013. 1
89951423014. 2
89951423015. 3
89951423016. 4

Question Number : 28 Question Id : 8995145800 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which one of the following statements is not correct?

1. An injunction is an equitable remedy in the form of a judicial order.
2. In India, injunctions are only available under criminal law.
3. Anton Piller orders are granted to prevent the destruction of incriminating evidence at the hands of the defendant.
4. Mareva injunctions are restraint orders “freezing” the assets of the defendant.

Options :

89951423017. 1
89951423018. 2
89951423019. 3
89951423020. 4

Question Number : 29 Question Id : 8995145801 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following is not excluded from the scope of patentability?

1. Diagnostic, therapeutic and surgical methods for the treatment of humans or animals.
2. Inventions, whether products or processes, in all fields of technology, provided that they are new, involve an inventive step and are capable of industrial application.
3. A new form of a known substance which does not result in enhanced efficacy.
4. Plants and animals except for micro-organisms, but including seeds, varieties and species and essentially biological processes for production or propagation of plants and animals.

Options :

- 89951423021. 1
- 89951423022. 2
- 89951423023. 3
- 89951423024. 4

Question Number : 30 Question Id : 8995145802 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The four major justifications of intellectual property rights include the natural rights/Lockean theory, the personhood/Kantian theory, the social welfare/democratic theory, and the _____.

1. Utilitarian Theory
2. Functional Theory
3. Indifferentiation Theory
4. Judgment Theory

Options :

- 89951423025. 1
- 89951423026. 2
- 89951423027. 3
- 89951423028. 4

Question Number : 31 Question Id : 8995145803 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

There is a presumption that _____ can be used to reduce duplicative or uncoordinated research and innovation activity.

1. Movable Property
2. Intellectual Property Rights
3. Immovable Property
4. State-funded R & D

Options :

89951423029. 1
89951423030. 2
89951423031. 3
89951423032. 4

Question Number : 32 Question Id : 8995145804 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

A _____ good is one which does not and cannot restrict the number of parties

1. Non-rivalrous
2. Non-excludable
3. Tangible
4. Alienable

Options :

89951423033. 1
89951423034. 2
89951423035. 3
89951423036. 4

Question Number : 33 Question Id : 8995145805 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

_____ efficiency acts as an incentive to increase the overall rate of innovation.

1. Static
2. Dynamic
3. Real
4. Productive

Options :

89951423037. 1
89951423038. 2
89951423039. 3
89951423040. 4

Question Number : 34 Question Id : 8995145806 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

TRIPS Agreement came into effect from _____.

1. 1st January, 1995
2. 1st January, 1994
3. 1st January, 1996
4. 1st January, 1999

Options :

89951423041. 1
89951423042. 2
89951423043. 3
89951423044. 4

Question Number : 35 Question Id : 8995145807 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

According to the Principle of National Treatment, a treatment no less _____ is provided to nationals of other member countries as nationals of one's own country.

1. Differential
2. Unfavourable
3. Favourable
4. Discriminatory

Options :

89951423045. 1
89951423046. 2
89951423047. 3
89951423048. 4

Question Number : 36 Question Id : 8995145808 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Moral rights of authors include

1. Right to claim authorship of the work;
2. Right to object to any mutilation, deformation or any modification;
3. Right against any derogatory action that would be prejudicial to the author's honour and reputation;
4. All of the above

Options :

89951423049. 1
89951423050. 2
89951423051. 3
89951423052. 4

Question Number : 37 Question Id : 8995145809 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

TRIPS Article ____ provides that there should be “dissemination of technology” to the balance of producers and consumers of IP.

1. 17

2. 7

3. 19

4. 21

Options :

89951423053. 1

89951423054. 2

89951423055. 3

89951423056. 4

Question Number : 38 Question Id : 8995145810 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Article _____ of the TRIPS Agreement provides for setting up of a dispute settlement forum almost on the lines of as dispute settlement under the WTO.

1. 64

2. 74

3. 84

4. 94

Options :

89951423057. 1

89951423058. 2

89951423059. 3

89951423060. 4

Question Number : 39 Question Id : 8995145811 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

IP rights are _____ and territorial and governed by domestic laws and regulations.

1. International
2. Domestic
3. Regional
4. Global

Options :

89951423061. 1
89951423062. 2
89951423063. 3
89951423064. 4

Question Number : 40 Question Id : 8995145812 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which one of the following is false?

1. Thin copyright protection for factual works promotes free speech
2. Free speech values are promoted by the *scenes a' faire* doctrine
3. A robust public domain negatively impacts free speech values
4. Denominative use exception in trademark law furthers free speech values

Options :

89951423065. 1
89951423066. 2
89951423067. 3
89951423068. 4

Question Number : 41 Question Id : 8995145813 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Article _____ of the Indian Constitution guarantees freedom of speech and _____.

1. 19 (1) (a), expression
2. 19 (1) (b), trade
3. 19 (1) (b), expression
4. 19 (1) (g), trade

Options :

89951423069. 1
89951423070. 2
89951423071. 3
89951423072. 4

**Question Number : 42 Question Id : 8995145814 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No
Correct Marks : 1 Wrong Marks : 0**

Acceptance of the “hot news” doctrine by the Delhi High Court would have _____.

1. Negatively impacted freedom of trade
2. Positively influenced freedom of trade
3. Negatively impacted free speech values
4. Positively influenced free speech values

Options :

89951423073. 1
89951423074. 2
89951423075. 3
89951423076. 4

**Question Number : 43 Question Id : 8995145815 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No
Correct Marks : 1 Wrong Marks : 0**

TRIPS promotes _____ by pharmaceutical firms and hence can exclude teeming millions from access to the drug at 'affordable' prices.

1. Negatively impacted freedom of trade
2. Positively influenced freedom of trade
3. Negatively impacted free speech values
4. Positively influenced free speech values

Options :

89951423077. 1
89951423078. 2
89951423079. 3
89951423080. 4

Question Number : 44 Question Id : 8995145816 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Term of Protection of Patent under Article 33 of the TRIPS Agreement is _____ years?

1. 20
2. 15
3. 25
4. 50

Options :

89951423081. 1
89951423082. 2
89951423083. 3
89951423084. 4

Question Number : 45 Question Id : 8995145817 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following statement is not true in the following context?

1. Competition law is gradually beginning to make its presence felt, even in India in the context of patents.
2. Section 140 of the Patents Act, 1970 lists those restrictive covenants whose presence in patent-related contracts is forbidden for being unfair or discriminatory.
3. For the patentee to attract Section 4 of the Competition Act, 2002, it is irrelevant as to whether the patentee enjoys a position of dominance.
4. The interplay between patents and competition law occurs in those situations where the manner of patent exploitation and enforcement is capable of having an adverse effect on the competition.

Options :

- 89951423085. 1
- 89951423086. 2
- 89951423087. 3
- 89951423088. 4

Question Number : 46 Question Id : 8995145818 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following propositions about prerequisites of inventive step is incorrect?

1. Entails technical advance over existing knowledge
2. Has an economic significance
3. Makes the invention not obvious to a person skilled in the art"
4. Minor modification of the existing product

Options :

- 89951423089. 1
- 89951423090. 2
- 89951423091. 3
- 89951423092. 4

Question Number : 47 Question Id : 8995145819 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

_____ means a feature of an invention that involves technical advance as compared to the existing knowledge or having economic significance or both and that makes the invention not obvious to a person skilled in the art.

1. Inventive Step
2. Obviousness
3. Novelty
4. Originality

Options :

89951423093. 1
89951423094. 2
89951423095. 3
89951423096. 4

Question Number : 48 Question Id : 8995145820 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

_____ refers to the phenomenon in which inventions seem obvious after the fact even though they would not have been obvious before they were invented.

1. Obviousness Bias
2. Foresight Bias
3. Hindsight Bias
4. Surprising Element Bias

Options :

89951423097. 1
89951423098. 2
89951423099. 3
89951423100. 4

Question Number : 49 Question Id : 8995145821 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following statements is true?

1. A substance obtained by a mere admixture resulting only in the aggregation of the properties of the components thereof or a process for producing such substance is not an invention.
2. Phenomena of nature, though just discovered, mental processes, and abstract intellectual concepts are patentable.
3. A mere change of form of properties inherent to the structure of the known substance and the claimed invention will meet the threshold of enhanced efficacy under Section 3.
4. Undocumented traditional knowledge can be a subject matter of a patent.

Options :

- 89951423101. 1
- 89951423102. 2
- 89951423103. 3
- 89951423104. 4

Question Number : 50 Question Id : 8995145822 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The ___ in Art. 2 states that Biotechnology means “Any technological application that uses biological systems, living organisms or derivatives thereof, to make or modify products or processes for specific use”

1. UN Convention on Biodiversity
2. Paris Convention for the protection of Industrial Property
3. International Union for the Protection of New Varieties of Plants (UPOV)
4. Patent Cooperation Treaty

Options :

- 89951423105. 1
- 89951423106. 2
- 89951423107. 3
- 89951423108. 4

Question Number : 51 Question Id : 8995145823 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

In _____ case, it was held that Exclusion ought to be construed narrowly- EPC 53(b) did not bar animals in general.

1. Relaxin
2. Harvard Onco Mouse
3. Diamond v. Chakrabarty
4. Mayo v. Prometheus

Options :

89951423109. 1
89951423110. 2
89951423111. 3
89951423112. 4

Question Number : 52 Question Id : 8995145824 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

Article _____ of the TRIPS mandatorily requires member states to grant patents for any inventions, whether products or processes, in all fields of technology, provided that they are new, involve an inventive step and are capable of industrial application.

1. 27 (1)
2. 27 (3)
3. 22 (1)
4. 22 (3)

Options :

89951423113. 1
89951423114. 2
89951423115. 3
89951423116. 4

Question Number : 53 Question Id : 8995145825 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

A computer programmed to perform a task which contributes to the art which is technical in nature is a _____ invention.

1. Patentable
2. Non-patentable
3. Vendible
4. Obvious

Options :

89951423117. 1
89951423118. 2
89951423119. 3
89951423120. 4

Question Number : 54 Question Id : 8995145826 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

According to Lockean Theory of Property, the rationale behind providing an author with *copyright* over his/her work lies in the _____ that the author puts in making the work in its present form.

1. Capital
2. Labour
3. Creativity
4. Thought

Options :

89951423121. 1
89951423122. 2
89951423123. 3
89951423124. 4

Question Number : 55 Question Id : 8995145827 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The Sweat of the Brow can be thought to be the traditional approach to Copyright Protection. This test recognizes the _____ put in by an author or compiler into the making of a work.

1. Labour
2. Capital
3. Intellect
4. Both (a) and (b)

Options :

89951423125. 1
89951423126. 2
89951423127. 3
89951423128. 4

Question Number : 56 Question Id : 8995145828 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The Creativity Doctrine maintains that a work must be _____ to be original and thus protected by Copyright.

1. Distinctive
2. Creative
3. Inventive
4. Novel

Options :

89951423129. 1
89951423130. 2
89951423131. 3
89951423132. 4

Question Number : 57 Question Id : 8995145829 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following statements is true?

1. The written or recorded descriptions, explanations, or illustrations of ideas are not protectable under copyright law.
2. Copyright shall subsist in any cinematograph film even if a substantial part of the film is an infringement of the copyright in any other work.
3. The copyright in a cinematograph film or a record shall not affect the separate copyright in any work in respect of which or a substantial part of which, the film, or as the case may be, the record is made.
4. In the case of an architectural work of art, copyright shall subsist both in the artistic character and design and processes or methods of construction.

Options :

- 89951423133. 1
- 89951423134. 2
- 89951423135. 3
- 89951423136. 4

Question Number : 58 Question Id : 8995145830 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

A literary, dramatic, musical or artistic work has to be _____ in order to enjoy copyright protection.

1. Novel
2. Descriptive
3. Of High-Quality
4. Original

Options :

- 89951423137. 1
- 89951423138. 2
- 89951423139. 3
- 89951423140. 4

Question Number : 59 Question Id : 8995145831 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The kind of works that enjoy copyright protection are:

1. Original literary, dramatic, musical and artistic works
2. Cinematograph Films
3. Sound Recordings
4. All of the above

Options :

- 89951423141. 1
- 89951423142. 2
- 89951423143. 3
- 89951423144. 4

Question Number : 60 Question Id : 8995145832 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

In the case of _____, it was held that Common Property such as ideas, information, natural phenomena and events are not subject-matter of copyright.

1. Indian Express Newspapers (Bombay) Pvt. Ltd. v Dr. Jagmohan Mundhra
2. RG Anand v Deluxe Films
3. Aananda Expanded ... v Unknown
4. Indian Performing Right Society Ltd. v Eastern Indian Motion Pictures Association and Others

Options :

- 89951423145. 1
- 89951423146. 2
- 89951423147. 3
- 89951423148. 4

Question Number : 61 Question Id : 8995145833 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The _____ amendment to the Indian Copyright Act enhanced the scope of protection for performers.

1. 1998
2. 1957
3. 2012
4. 2017

Options :

89951423149. 1
89951423150. 2
89951423151. 3
89951423152. 4

Question Number : 62 Question Id : 8995145834 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The broadcast reproduction rights override any copyright in the underlying works that are the subject matter of the broadcast.

1. True
2. False
3. Partially True
4. None of the above

Options :

89951423153. 1
89951423154. 2
89951423155. 3
89951423156. 4

Question Number : 63 Question Id : 8995145835 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The Copyright Act as originally enacted used the expression _____ instead of broadcast.

1. Radio Diffusion
2. Radio Waves
3. Television Diffusion
4. Streaming

Options :

89951423157. 1
89951423158. 2
89951423159. 3
89951423160. 4

**Question Number : 64 Question Id : 8995145836 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No
Correct Marks : 1 Wrong Marks : 0**

The performer's right does not extend to:

1. Blocking Other Performers from Imitating the Unique Style and Manner of the Performer
2. Any Remuneration for Use or Reproduction in any Manner of a Fixed Performance by the Producer of a Film
3. Reproduction of a fixed performance, where the fixation has already been consented to by the performer
4. Broadcast of a fixed performance, where the fixation has already been consented to by the performer

Options :

89951423161. 1
89951423162. 2
89951423163. 3
89951423164. 4

**Question Number : 65 Question Id : 8995145837 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No
Correct Marks : 1 Wrong Marks : 0**

Which of the following factors is considered in determining whether a trademark is a well-known trademark?

1. That the trademark has been used in India
2. That the trademark has been registered
3. That the application for registration of the trademark has been filed in India
4. The number of actual or potential consumers of the goods or services

Options :

- 89951423165. 1
- 89951423166. 2
- 89951423167. 3
- 89951423168. 4

Question Number : 66 Question Id : 8995145838 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

_____representation enables the trademark registry to clearly and precisely demarcate the mark that is protected.

1. Graphical
2. Literal
3. Analytical
4. Acoustic

Options :

- 89951423169. 1
- 89951423170. 2
- 89951423171. 3
- 89951423172. 4

Question Number : 67 Question Id : 8995145839 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The European Court of Justice (ECJ) opined that if the applicant demonstrates _____ then colour marks could be protected which is similar to the decision in *Qualtex* case decided by the US Supreme Court.

1. Inherent Distinctiveness
2. Acquired Distinctiveness
3. Prior Use
4. Intention to Use

Options :

- 89951423173. 1
- 89951423174. 2
- 89951423175. 3
- 89951423176. 4

Question Number : 68 Question Id : 8995145840 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Sumitomo Rubber Company was granted a _____ in 1996 for rubber tyres that smelled like a rose.

1. Olfactory Mark
2. Hologram Mark
3. Sound Mark
4. Shape Mark

Options :

- 89951423177. 1
- 89951423178. 2
- 89951423179. 3
- 89951423180. 4

Question Number : 69 Question Id : 8995145841 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

One way to get a trademark recognized as well known in India is to make a request before the _____ and lead evidence under Section 11 of the Trademarks Act, 1999.

1. District Court
2. High Court
3. Supreme Court
4. Registrar

Options :

89951423181. 1
89951423182. 2
89951423183. 3
89951423184. 4

Question Number : 70 Question Id : 8995145842 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following propositions about the business circles dealing with the goods or services, to which that trade mark applies, is false?

1. The duration, extent and geographical area of any use of that trademark
2. The duration, extent and geographical area of any promotion of the trademark, excluding advertising or publicity and presentation, at fairs or exhibition of the goods or services to which the trademark applies
3. The duration and geographical area of any registration of or any application for registration of that trademark under this Act to the extent they reflect the use or recognition of the trademark
4. The record of successful enforcement of the rights in that trademark; in particular, the extent to which the trademark has been recognised as a well-known trademark by any court or Registrar under that record

Options :

89951423185. 1
89951423186. 2
89951423187. 3
89951423188. 4

Question Number : 71 Question Id : 8995145843 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following statements is incorrect?

1. The object and purpose of the Designs Act, 2000 is to protect the aesthetic and ornamental aspects of the original design.
2. The term 'design' has been defined to mean **only** the features of shape, configuration, pattern, ornament or composition of lines or colours applied to any article whether in two dimensional or three dimensional or in both forms.
3. The design features must be capable of having a separate existence from the article
4. There are three main components of designs: visual character and appeal to the eye, functionality and industrial application.

Options :

- 89951423189. 1
- 89951423190. 2
- 89951423191. 3
- 89951423192. 4

Question Number : 72 Question Id : 8995145844 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following statements about trade secrets is correct?

1. Trade secrets law operates once a trade secret has been unlawfully disclosed
2. This branch of the law fits easily within the intellectual property framework
3. The standard for information to qualify as being a trade secret by courts in the United States is much higher than its counterparts in the U.K
4. A confidential relationship need not exist for the information to continue to be regarded as a trade secret

Options :

- 89951423193. 1
- 89951423194. 2

89951423195. 3

89951423196. 4

Question Number : 73 Question Id : 8995145845 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The kind of remedies available to a trade secret holder depends on the nature of the _____.

1. Secret
2. Use of the trade secret
3. Infringement
4. Number of people who know about the trade secret

Options :

89951423197. 1

89951423198. 2

89951423199. 3

89951423200. 4

Question Number : 74 Question Id : 8995145846 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following is a Geographical Indication (GI)?

1. Darjeeling Tea
2. Tequila
3. Roquefort
4. All of the above

Options :

89951423201. 1

89951423202. 2

89951423203. 3

89951423204. 4

Question Number : 75 Question Id : 8995145847 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Under the Geographical Indications of Goods (Registration and Protection) Act, 1999, no protection is conferred on a/an _____ GI.

1. Unregistered
2. Registered
3. Obvious
4. Ambiguous

Options :

89951423205. 1
89951423206. 2
89951423207. 3
89951423208. 4

Question Number : 76 Question Id : 8995145848 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Geographical indications for all products are currently covered by Article _____ of the TRIPS Agreement.

1. 29
2. 42
3. 22
4. 49

Options :

89951423209. 1
89951423210. 2
89951423211. 3
89951423212. 4

Question Number : 77 Question Id : 8995145849 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The issues debated under The Doha Mandate are:

1. Creating a multilateral register for wines and spirits;
2. Extending the higher level of protection beyond wines and spirits;
3. Both the above
4. None of the above

Options :

- 89951423213. 1
- 89951423214. 2
- 89951423215. 3
- 89951423216. 4

Question Number : 78 Question Id : 8995145850 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Once registered, a geographical indication is initially protected for a term of ____ years and can be renewed from time to time.

1. 15
2. 10
3. 20
4. 12

Options :

- 89951423217. 1
- 89951423218. 2
- 89951423219. 3
- 89951423220. 4

Question Number : 79 Question Id : 8995145851 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

An Appellation of Origin is a special category of Geographical Indications but the basic difference between the two concepts is that the link with the place of origin must be stronger in the case of an appellation of origin.

1. True
2. False
3. Partially True
4. None of the above

Options :

89951423221. 1
89951423222. 2
89951423223. 3
89951423224. 4

Question Number : 80 Question Id : 8995145852 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

_____ is a variety which is predominantly derived from another variety (protected or otherwise) and conforms to the initial variety in all aspects except for the differences which result from the act of derivation, and yet is distinguishable from such initial variety.

1. Essentially Derived Variety
2. Farmer's Variety
3. Novel Variety
4. Wild Variety

Options :

89951423225. 1
89951423226. 2
89951423227. 3
89951423228. 4

Question Number : 81 Question Id : 8995145853 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which one of the following is not a relief for infringement of plant variety?

1. Injunction
2. Imprisonment
3. Damages
4. Accounts for Profit

Options :

89951423229. 1
89951423230. 2
89951423231. 3
89951423232. 4

Question Number : 82 Question Id : 8995145854 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Under the Protection of Plant Variety and Farmers Right Act (PPVFRA), 2001, a farmer means any person who:

1. Cultivates crops by cultivating the land himself
2. Cultivates crops by directly supervising the cultivation of land through any other person
3. Conserves and preserves, severally or jointly, with any person any wild species or traditional varieties or adds value to such wild species or traditional varieties through selection and identification of their useful properties
4. All of the above

Options :

89951423233. 1
89951423234. 2
89951423235. 3
89951423236. 4

Question Number : 83 Question Id : 8995145855 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The function or capability of distinguishing is referred to as _____ of a trademark.

1. Generic Nature
2. Distinctiveness
3. Descriptiveness
4. Novelty

Options :

89951423237. 1
89951423238. 2
89951423239. 3
89951423240. 4

**Question Number : 84 Question Id : 8995145856 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No
Correct Marks : 1 Wrong Marks : 0**

Which of the following statements is incorrect?

1. Distinctiveness is compulsory to define the subject-matter protectable as a trademark.
2. By their nature, generic marks are not distinctive.
3. Merely descriptive, general marks qualify for protection.
4. Marks that are arbitrary and fanciful do not describe or suggest any characteristic of the product.

Options :

89951423241. 1
89951423242. 2
89951423243. 3
89951423244. 4

**Question Number : 85 Question Id : 8995145857 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No
Correct Marks : 1 Wrong Marks : 0**

Article _____ of the Paris Convention contains a non-exhaustive list of contraventions of “honest practices in industrial and commercial matters,” against all of which member states are required to provide “effective protection”.

1. 10bis

2. 10ter

3. 6bis

4. 6ter

Options :

89951423245. 1

89951423246. 2

89951423247. 3

89951423248. 4

Question Number : 86 Question Id : 8995145858 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

After the first sale of a particular copy distribution right is normally said to have been:

1. Completed

2. Exhausted

3. Second sale

4. None of the above

Options :

89951423249. 1

89951423250. 2

89951423251. 3

89951423252. 4

Question Number : 87 Question Id : 8995145859 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

_____ right connotes that the rental of copies of any of these categories of works, or the original, to the public, is a restricted activity and the owner has the exclusive right to authorize or prohibit the commercial rental to the public of originals or copies of their copyright works.

1. Adaptation
2. Rental
3. Communication
4. Translation

Options :

89951423253. 1
89951423254. 2
89951423255. 3
89951423256. 4

Question Number : 88 Question Id : 8995145860 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Adaptation involves the preparation of a new work in the same or different form based upon a _____ work.

1. Already Existing
2. In-Progress
3. Future
4. None of the Above

Options :

89951423257. 1
89951423258. 2
89951423259. 3
89951423260. 4

Question Number : 89 Question Id : 8995145861 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The right to paternity is essentially the right of an author to claim _____ of his work and have it attributed to him.

1. Ownership
2. Authorship
3. Integrity
4. None of the above

Options :

89951423261. 1
89951423262. 2
89951423263. 3
89951423264. 4

Question Number : 90 Question Id : 8995145862 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The rights granted under copyright conceptually are:

1. Positive rights
2. Neutral rights
3. Negative rights
4. None of the above

Options :

89951423265. 1
89951423266. 2
89951423267. 3
89951423268. 4

Question Number : 91 Question Id : 8995145863 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following statements is true?

1. Technological protection measures have been tampered and thus to increase the overall security of a DRM system, certain legal regulations have been created.
2. In a contractually protected DRM system, end users are not required to enter into a contractual agreement.
3. These contracts include terms obligating end-users to download the content to DRM-secured devices and impose no restriction on activities like burning onto CD-ROMs or DVD-ROMs.
4. None of the DRM technologies are protected by a patent or kept as a trade secret.

Options :

- 89951423269. 1
- 89951423270. 2
- 89951423271. 3
- 89951423272. 4

Question Number : 92 Question Id : 8995145864 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following statements is incorrect?

1. The key difference between copyright law and DRM is the fact that copyright law in itself does not implement anything, unlike DRM which is principally based on implementing restrictions.
2. In a contractually protected DRM system, end users are not specifically required to enter into a contractual agreement either at the time they acquire some DRM-enabled hardware or software device or at the time they want to access an individual content within the DRM system.
3. The first sale doctrine or principle of exhaustion in copyright law is a limitation on the exclusive right of distribution.
4. The copyright act of India was amended in the year 2012 in order to make it comply with the international internet treaties, namely, WCT and WPPT

Options :

- 89951423273. 1
- 89951423274. 2

89951423275. 3

89951423276. 4

Question Number : 93 Question Id : 8995145865 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The _____ right of a copyright holder ends on that particular copy once it is sold.

1. Performance
2. Resale Share
3. Distribution
4. Rental

Options :

89951423277. 1

89951423278. 2

89951423279. 3

89951423280. 4

Question Number : 94 Question Id : 8995145866 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

The _____ doctrine determines certain uses of legitimately acquired copyrighted works for which the authorization of the author is not required.

1. A modicum of Creativity
2. Hot News
3. Sweat of the Brow
4. Fair Dealing

Options :

89951423281. 1

89951423282. 2

89951423283. 3

89951423284. 4

Question Number : 95 Question Id : 8995145867 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

_____ refers to mutual sharing of patents between patent owners

1. Cross-licensing
2. Exclusive Licensing
3. Sole Licensing
4. Non-exclusive Licensing

Options :

89951423285. 1
89951423286. 2
89951423287. 3
89951423288. 4

Question Number : 96 Question Id : 8995145868 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

The _____ concept uses copyright law creatively to ensure that open content remains 'open' even when it is modified and redistributed by subsequent developers.

1. Fair Use
2. Royalties
3. Copyleft
4. Licensing

Options :

89951423289. 1
89951423290. 2
89951423291. 3
89951423292. 4

Question Number : 97 Question Id : 8995145869 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No

Correct Marks : 1 Wrong Marks : 0

Section 107A(b) of the Patents Act statutorily enshrines what is otherwise known in equity as which refers to the exhaustion of the exclusive rights of the patent holder once the patented item or object is sold without any restriction in any part of the world.

1. Territoriality
2. Doctrine of Exhaustion/First Sale
3. Parallel Imports
4. Assignment

Options :

89951423293. 1
89951423294. 2
89951423295. 3
89951423296. 4

Question Number : 98 Question Id : 8995145870 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following statements is true?

1. Section 107A(b) was introduced into the Patents Act 1970 by way of the Patent (Amendment) Act of 2003.
2. The rationale behind the Doctrine of Exhaustion is that the Patent holder has already reaped the benefits conferred by the patent by exercising her exclusive right to prevent others from making, using, selling, offering for sale in the territory of patent grant or importing an invention into the territory.
3. The exceptions in the Indian Patent Law are well represented in the International treaties such as the TRIPS Agreement and the Paris Convention.
4. All of the above

Options :

89951423297. 1
89951423298. 2
89951423299. 3
89951423300. 4

Question Number : 99 Question Id : 8995145871 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following statements is incorrect?

1. The rights of trademark owners are not absolute.
2. Trademark is not infringed where the use of a trademark by a person in relation to goods adapted to form part of or to be accessory to, other goods or services in relation to which the trademark has been used.
3. Section 9 is a bar on the registration of marks which designate the kind, quality, quantity, intended purpose, values, geographical origin, or the time of production.
4. Section 28(3) and Section 30(2)(e) suggest that one trademark proprietor does not get exclusive rights over another.

Options :

- 89951423301. 1
- 89951423302. 2
- 89951423303. 3
- 89951423304. 4

Question Number : 100 Question Id : 8995145872 Question Type : MCQ Option Shuffling : No Is Question Mandatory : No Correct Marks : 1 Wrong Marks : 0

Which of the following propositions about Clinique Laboratories LLC & Anr. versus Gufic Limited & Anr. case, is incorrect?

1. There can be no suit for infringement against the registered proprietor of an identical or similar trademark
2. That upon the defendant taking the plea of his registration and of there being thus no infringement, such suit has to be stayed awaiting the rectification proceedings
3. Only the trial of the suit shall be stayed. By virtue of Section 124(5), the court remains empowered in such cases to pass any interim order including the grant of an interim injunction
4. The court while passing an interim order will necessarily have to prima facie adjudicate the validity of the two competing registrations

Options :

89951423305. 1

89951423306. 2

89951423307. 3

89951423308. 4