



BRAINWARE UNIVERSITY

Term End Examination 2021 - 22

Programme – Bachelor of Business Administration & Bachelor of Law

Course Name – Intellectual Property Law – Patent and Design

Course Code - BBALLB605

(Semester VI)

Time allotted : 1 Hrs.15 Min.

Full Marks : 60

[The figure in the margin indicates full marks.]

Group-A

(Multiple Choice Type Question)

1 x 60=60

Choose the correct alternative from the following :

- (1) Following person/persons are entitled to apply for patents

a) A person claiming to be first inventor of the invention	b) A Legal representative of the first inventor of the invention (If he deceased)
c) Any person who is the assignee of the first inventor of the invention	d) All of these
- (2) Every application for a patent shall be for _ invention only

a) Two	b) Four
c) One	d) Three
- (3) How long is a patent valid in India?

a) 30 years	b) 20 years
c) 40 years	d) 60 years
- (4) What can be patented under Patent Act 1970?

a) Playing a game	b) An Invention
c) A scheme	d) an aesthetic creation
- (5) which section of the patent act,1970 deals with the Falsification of entries in the register?

a) section 100 of the patent act,1970	b) section 110 of the patent act,1970
c) section 109 of the patent act,1970	d) section 119 of the patent act,1970
- (6) which section of the patent act,1970 deals with the Register of patents and particulars to be entered therein?

a) section 67 of the patent act,1970	b) section 60 of the patent act,1970
c) section 69 of the patent act,1970	d) section 19 of the patent act,1970
- (7) Patent is a _____.

- a) If the applicant is a Startup
 c) In an international application, India has been elected as an International Preliminary Examining Authority
- b) If the applicant is a Natural Person
 d)
 both A and B
- (21) Intellectual property rights are _____ over the use of his/her creation for a certain period of time.
- a) excessive rights
 c) exclusive right
- b) additional rights
 d) security rights
- (22) A policy (or policies) behind the patent system is:
- a) to encourage an inventor to disclose an invention by granting exclusive rights over the invention to the inventor.
 c) to not benefit the public through encouraging innovation by publishing a full disclosure of the technical details of the invention.
- b) to not benefit the public by limiting the scope and term of the exclusive rights granted to an inventor.
 d) To benefit only the Owner of the patent
- (23) Which of the following remedies is not available for infringement?
- a) Civil
 c) Administrative
- b) Criminal
 d) personal law
- (24) If you file provisional specification, the complete specification is required to be filed within :
- a) 10 months
 c) 18 months
- b) 12 months
 d) 24 months
- (25) Typically, transfer technology is done ___ protecting the IPR (i.e. patents and copyrights).
- a) before
 c) never
- b) after
 d) anytime
- (26) Which of the following options are correct? Assertion: Patents protect inventions. Reason: Intellectual property rights are descriptive of the character of the things that it protects.
- a) A is true but R is false
 c) Both A and R are true and R is not the correct explanation of A
- b) A is false but R is true
 d) . Both A and R are true and R is the correct explanation of A
- (27) Compulsory License for export under Indian Patents Act is for--
- a) Pharmaceutical Products
 c) Medicinal Plants
- b) Diagnostic kits required for their use
 d) Clinical Trial Data
- (28) According to Indian Patent Act 1970, a patent can be filed by
- a) a robot
 c) a car
- b) a real person
 d) a computer
- (29) The patentability criteria as under TRIPS consists of
- a) Originality, novelty, utility
 c) Novelty, utility, inventive step
- b) Originality, utility, inventive step
 d) Novelty, originality, enforceability
- (30) Section ____ provides the inventions which are not patentable under the
- a) . section 6
 c) section 10
- b) section 9
 d) section 3 and 4
- (31) Identify the wrong statement
- a) . Inventions relating to atomic energy not
 b) mathematical or business method or a

patentable

computer programme per se or algorithms; not patentable

- c) seeds, varieties and species and essentially biological processes for production or propagation of plants and animals not patentable

- d) invention which in effect, is traditional knowledge or which is an aggregation or duplication of known properties of traditionally known component or components are patentable

(32) In 1970 several inventors decided to simplify the process for protecting patents worldwide by creating the .

a) MoU

b) NDA

c) NOC

d) Patent Cooperation Treaty (PCT)

(33) The General Agreement on Tariffs and Trade came into force on ----- --

a) 1 st January 1948

b) 43831.09375

c) 7 th March 1950

d) 20th March 1954

(34) The General Agreement on Tariffs and Trade (GATT) is a legal agreement between many countries, whose overall purpose was to promote international trade by reducing or eliminating trade barriers such as -----

a) Trade embargos

b) Trade restrictions

c) Tariffs or quotas

d) Sanctions

(35) A patent protects the aspects of a product.

a) design

b) commercial

c) non-functional

d) functional

(36) Biological Diversity means _____

a) Biological Destruction

b) the similiarity among living organisms from all sources and the ecological complexes

c) the variability among living organisms from all sources and the ecological complexes

d) Biological Disturbance

(37) Opposition Board consists of

a) 4 members

b) . 3 members

c) 3. 5 members

d) . 7 members

(38) The appropriate court by institution of a suit for infringement of patent is:

a) . The District Court

b) The High Court

c) IPAB

d) A or B

(39) A PCT publication is

a) always a granted patent

b) sometimes a granted patent

c) always a patent application

d) Revoked application

(40) The term “person” as defined in the Patents Act includes Government.

a) Yes

b) No

c) Only Natural or Body Corporate.

d) “person” means only individual or a group of individuals

(41) Which one is not inventions

a) an invention the primary or intended use or commercial exploitation of which could be contrary public order

b) a method of agriculture or horticulture

c) the topography of integrated circuits

d) all of these

- (42) India became a signatory to the Patent Cooperation Treaty (PCT) in
- | | |
|-----------|-----------|
| a) 1.1998 | b) 2.1997 |
| c) 3.1994 | d) 4.1995 |
- (43) When did Designs Act 2000, come into force?
- | | |
|------------------|------------------|
| a) 05 March 2001 | b) 01 March 2001 |
| c) 11 May 2001 | d) 10 March 2001 |
- (44) Which section of Designs Act 2000 deals with the Publication of particulars of registered design ?
- | | |
|----------------------------------|----------------------------------|
| a) Section 7 of Designs Act 2000 | b) Section 4 of Designs Act 2000 |
| c) Section 3 of Designs Act 2000 | d) Section 8 of Designs Act 2000 |
- (45) Provisions as to exhibitions, is provided in section ____ of Designs Act 2000
- | | |
|-------------------------------------|-----------------------------------|
| a) Section 24 of Designs Act 2000 | b) Section 22 of Designs Act 2000 |
| c) . Section 21 of Designs Act 2000 | d) Section 23 of Designs Act 2000 |
- (46) Which section of Designs Act 2000 deals with the Report of the Controller to be placed before Parliament ?
- | | |
|-----------------------------------|-----------------------------------|
| a) Section 47 of Designs Act 2000 | b) Section 44 of Designs Act 2000 |
| c) Section 45 of Designs Act 2000 | d) Section 49 of Designs Act 2000 |
- (47) Which section of the Designs Act 2000 deals with Power of Controller to correct clerical errors?
- | | |
|---------------------------------------|---------------------------------------|
| a) Section 27 of the Designs Act 2000 | b) Section 24 of the Designs Act 2000 |
| c) Section 25 of the Designs Act 2000 | d) Section 29 of the Designs Act 2000 |
- (48) Which section of the Designs Act 2000 deals with Power of Central Government to make rules?
- | | |
|---------------------------------------|---------------------------------------|
| a) Section 47 of the Designs Act 2000 | b) Section 49 of the Designs Act 2000 |
| c) Section 44 of the Designs Act 2000 | d) Section 45 of the Designs Act 2000 |
- (49) Which of the following can be constituents of a design under Designs Act, 2000?
- | | |
|---------------------------|-----------------------------------|
| a) shape or configuration | b) composition of lines or colors |
| c) pattern or ornament | d) All of these |
- (50) The period for which protection to a design is granted by registration under Designs Act, 2000 is -
- | | |
|--|---|
| a) ten years, extendable once by another ten years | b) ten years, extendable once by another five years |
| c) ten years, extendable indefinite number of times by five years at each time | d) ten years, extendable indefinite number of times by ten years at each time |
- (51) Which one of the following statements is false?
- | | |
|---|---|
| a) The maximum duration for an unregistered design right is 15 years. | b) A registered design right may cover 2 dimensional and 3 dimensional objects. |
| c) A registered design right only applies to 3 dimensional objects. | d) The maximum duration for a registered design right is 25 years |
- (52) Process for obtaining some product which is different and new from the previous one can be
- | | |
|----------------|-----------------------------------|
| a) Copyrighted | b) Registered under trademark act |
| c) Patented | d) Registered under design act |
- (53) The employee can not apply for patent if he is specifically employed for.....

- a) Clerical work
 c) Research and development
- b) Surveillance of research
 d) Management
- (54) Application for patent by employee can be determined by
- a) Fiduciary relationship
 c) Social relationship
- b) Personal relationship
 d) Contractual relationship
- (55) Patent Cooperation Treaty” means
- a) Patent Cooperation Treaty signed at Washington
 c) Patent Cooperation Treaty signed at Singapore
- b) Patent Cooperation Treaty signed at Davos
 d) none of these
- (56) In ‘quid-pro-quo’, quo stands for
- a) knowledge disclosed to the public
 c) exclusive privilege of making, selling and using the invention
- b) monopoly granted for the term of the patent
 d) None of these
- (57) .Patent of addition can be filed by
- a) Inventor
 c) (1) and (2)
- b) Patentee
 d) None of these
- (58) Who administer UDRP?
- a) WTO
 c) Supreme Court
- b) WIPO
 d) High court
- (59) Frivolous inventions are covered under following section:
- a) 3a
 c) 3e
- b) 3b
 d) 3f
- (60) Inventions contrary to public order or morality are referred to in following section:
- a) 3k
 c) 3c
- b) 3l
 d) 3b