

INTELLECTUAL PROPERTY RIGHTS

MCQs

SET 1

1. Imagine a footballer sets up his own company to sell his own range of clothes. What type of intellectual property can he use to show that the clothes are made by his company?

- a. copyright
- b. geographical indications
- c. patents
- d. registered designs
- e. trademarks

2. How long do patents usually last for?

- a. 10 years
- b. 20 years
- c. 40 years
- d. 60 years

3. What protects the intellectual property created by inventors?

- a. copyright
- b. geographical indications
- c. patents
- d. registered designs
- e. trademarks

4. What protects the intellectual property created by designers?

- a. copyright
- b. geographical indications
- c. patents
- d. registered designs
- e. trademarks

5. Statements:

- i. The Patent Cooperation Treaty (PCT) assists applicants in seeking patent protection internationally for their inventions
- ii. PCT helps patent offices with their patent granting decisions, and

- iii. PCT facilitates public access to a wealth of technical information relating to those inventions
- a. Only i is correct
 - b. Only iii is correct
 - c. i and iii are correct
 - d. All are correct
 - e. None of these are correct
6. Hague System is related to:
- a. International Registration of Industrial Design
 - b. Registration of Industrial Design Nationally
 - c. Registration of Trademark
 - d. All of these
7. In general, to qualify as a trade secret, the information must be:
- a. commercially valuable because it is secret,
 - b. be known only to a limited group of persons, and
 - c. be subject to reasonable steps taken by the rightful holder of the information to keep it secret, including the use of confidentiality agreements for business partners and employees
 - d. Only a and b is correct
 - e. a, b, c are correct
8. _____ are intellectual property (IP) rights on confidential information which may be sold or licensed.
- a. Trade secret
 - b. Industrial Design
 - c. Trade mark
 - d. Trade dress
9. _____ allows to modify, renew or expand your global trademark portfolio through one centralized system.
- a. Hague System
 - b. Madrid System
 - c. Berne Convention
 - d. None of the above
10. According to UPOV, a breeder can be
- I. a farmer,
 - II. a researcher,

- III. a public institute,
- IV. a private company
- a. Only I is correct
- b. Only I and II is correct

All are correct

SET -02

1. STATEMENTS

- I. The UPOV Convention, the CBD and the ITPGRFA are all international instruments.
 - II. The objectives of the CBD and the ITPGRFA are the conservation and sustainable use of genetic resources and the sharing of benefits arising from their use.
 - III. Both the ITPGRFA and the UPOV Convention aim to support plant breeding activities and to encourage the development of new varieties of plants.
 - IV. The ITPGRFA does so by providing a system for facilitated access to plant genetic resources, while the UPOV Convention does so by establishing a system for plant variety protection. When implemented by UPOV members, the relevant legislations dealing with these matters should be compatible and mutually supportive.
- a. Only I, IV are true
 - b. Only I is true
 - c. Only I, III are true
 - d. ALL are true

2. Can hybrid variety be protected under UPOV System?

- I. Yes
 - II. No
 - III. Depends on the type of hybrid
- a. Only II is correct
 - b. II, III is correct
 - c. I is correct

3. The authorization of the breeder is required for the selling of seed of a protected variety by:

- a. A farmer, but not researcher
- b. A researcher, but not farmer
- c. Both farmer and researcher
- d. Any person

4. India has its own law to protect the interests of farming communities and rejected the framework of plant breeders' rights given by the International Union for Protection of New Plant Varieties (UPOV Convention) because: (give an explanation)

The current version of UPOV, which was adopted in 1991, denies the farmers the freedom to reuse farm-saved seeds and to exchange them with their neighbours.

5. Can a plant variety be protected under the Patent Law in India?

a) Yes

b) No

6. The National Biodiversity Authority (NBA) was established in _____ at _____ to implement India's Biological Diversity Act (2002)

a. 2003, Chennai

b. 2002, Chennai

c. 2003, Pusa, New Delhi

d. 2002, Pusa, New Delhi

7. Main objectives of The International Treaty on Plant Genetic Resources for Food and Agriculture are:

I. The conservation of biological diversity

II. The sustainable use of the components of biological diversity

III. The fair and equitable sharing of benefits arising out of the utilization of genetic resources

a. Only I is true

b. I, II is true

c. I, III is true

d. All of the above

e. None of the above

8. The International Treaty on Plant Genetic Resources for Food and Agriculture was adopted by the Thirty-First Session of the Conference of the Food and Agriculture Organization of the United Nations on 3 November _____. It is also known as _____

a. 2002, CBD

b. 2001, Seed Treaty

c. 2002, Seed Treaty

d. 2002, CBD

9. Researcher can use any of the registered variety under the Act for conducting experiment or research. This includes the use of a variety as an initial source of variety for the purpose of developing another variety but repeated use _____

- a. Needs prior permission of the registered breeder
- b. Do not need prior permission of registered breeder
- c. Sometimes need permission
- d. Both a and c are correct

10. Farmer has to pay _____ fee in any proceeding before the Authority or Registrar or the Tribunal or the High Court under the PPV&FR Act, 2001.

- a. Rs. 2000
- b. Rs. 1000
- c. Variable (Rate depends on the type of variety)
- d. No fee

11. An opposition may be requested soon

- I. before the grant of a patent (pre-grant opposition) or,
- II. after the grant of a patent (post-grant opposition)
- a. Only I is correct
- b. Only II is correct
- c. Both I and II is correct
- d. Once granted, patent cannot be opposed

SET 3

1. All plants look alike in a _____ variety
2. The variety distinguishable in at least one character from previously available varieties is called _____
3. The property that each generation of variety should be similar is known as _____
4. The _____ variety can be used to breed new varieties
5. The UPOV Act 1991 does not provide farmers' exemption. The statement is true/ false _____
6. PBR come into force immediately after _____ of the variety.
7. The unauthorized use of genetic resources of pharma companies is termed as _____.
8. The knowledge held by the communities and people that are indigenous is called _____ knowledge
9. Traditional Knowledge can be protected by _____ rights.
10. Seed or planting material synthesized or developed by modifying or altering genetic composition by means of genetic engineering is called _____.
11. _____ variety is developed from an initial variety and having most of the characters of initial variety but clearly distinguishable from it.
12. WIPO helps in protection of GI. True/False _____

13. A patent that is granted to inventions that perform useful functions is referred as _____

14. Patents that are granted for less than 20 years are called _____

15. Statement

- I. Plant patent is granted to newly developed, distinct plant reproducing sexually.
 - II. These patents are of recent origin
 - III. Protected for a period of 5 years
 - IV. Useful in protecting novel plants
- a. Only I is true
 - b. I, III, I are true
 - c. All are true
 - d. I and III are true