

- Q) The mental element in the case of the secondary infringing act of dealing with infringing copies (s. 23) requires:--
>**Knowledge or a reason to believe that the copies are infringing copies**
- Q) Which of the following statements about the 'fair dealing' defences in the CDPA are true?-->**Fair dealing with a work for the purposes of criticism or review it is permitted provided that the work has been published**
- Q) The 'public interest defence':-->**Has been re-considered by the courts in the light of the Human Rights Act so as to include recognition of the right to freedom of expression**
- Q) Which of the following represents the best advice to a novelist seeking to exploit copyright in a novel?-->**Hire a well-known agent to conduct negotiations with publishers, film companies, video games companies and so on**
- Q) Which of the following statements is correct regarding artistic works?-->**Only works falling within the definition of artistic works in s. 4 CDPA are protected**
- Q) Which of the following, when done in the UK without the permission of the owner of copyright in the work, is not a primary infringing act?-->**Lending a copy of the work to a friend on a memory stick**
- Q) Which of the following is not a type of copyright work?-->**Furniture**
- Q) Which of the following is not an example of a literary work?-->**A character from a novel**
- Q) A backup facility outfitted with computer systems that are ready to run is called a:-->**hot site**
- Q) Which of the following U.S. Acts permits people to legally access data collected about them by government agencies?-->**Freedom of Information Act**
- Q) Rules and practices which cover groups of countries such as the EU.-->**Supranational regulations**
- Q) The airline industry faces higher taxes because of air-pollution?-->**Micropolitical risk**
- Q) The term used to describe a terrorist attack on a computer information system is called:-->**cyberterrorism**
- Q) Which of the following is used to send secure messages from one location to another using a public network such as the Internet?-->**Virtual public network**
- Q) Which of the following is NOT a typical component of a security program?-->**The consequences for the person breaking the security policies**
- Q) Which of the following describes someone who gains illegal access to a computer system?-->**Hacker**
- Q) Which of the following issues did the Uruguay Round not address?-->**Migration**
- Q) The principal supplier and principal demander are the-->**Countries that negotiate tariff reductions on a particular product in a trade round**
- Q) Which of the following is an example of intellectual property?-->**Trademarks**
- Q) Negotiations about intellectual property rights are most important to-->**The United States**
- Q) One of your sales people suggests placing a list of company suppliers on the company Facebook page to show the company's network of connections. What area of Intellectual Property does this impact?-->
- Q) The OECD-->**Gathers and publishes data on the international economy**
- Q) What has been described as 'any sign capable of being represented graphically which is capable of distinguishing goods or services of one undertaking from those of another and which has legal effect'?-->**trade mark.**
- Q) Which one of the following is an important aspect of 'sustainability'?-->**Intergenerational equity**
- Q) If regional free-trade areas such as now exist in Europe and North America gain strength, and new ones arise?-->**the WTO may be weakened**
- Q) Which of these rights isn't generally regarded as part of designs law?-->**Trademark law**
- Q) To enforce copyright to prevent a product from being copied?-->**The claimant's designer must have created the design for the claimant's product in the form of a drawing or a model that is an artistic work**
- Q) Which of these statements is most accurate concerning how the s. 51 defence limits the scope for enforcement of copyright to prevent a design being copied?-->**Providing that it is not an infringement of copyright to make things in three dimensions for some things of a non-artistic nature**
- Q) A new entry into an industry sector that is mature in other states and, therefore, is often protected by its government is a(n)-->**infant industry**
- Q) What economic principle refers to the way that states differ in their abilities to produce certain goods because of differences in natural resources, labor force characteristics, technology, and other such factors?-->**comparative advantage**
- Q) Trade in services includes which of the following?-->**Insurance**
- Q) There are just a few large sellers of a product in a(n)-->**oligopoly**
- Q) The collection, storage, and dissemination of information about individuals is included in the ethical category of:--

>Accessibility

- Q) A document that grants the holder exclusive rights on an invention for a fixed number of years is?-->**a patent**
- Q) A piece of information that allows a Web site to record ones comings and goings is called?-->**a cookie**
- Q) A governments attempt to control the material broadcasted on the Internet is called?-->**Free speech**
- Q) The Community Unregistered Right?-->**Provides an anti-copying right**
- Q) The doctrine of exhaustion of rights is particularly important in the context of the exploitation of intellectual property rights. Which one of the following best describes the doctrine?-->**Exhaustion of rights prevents the proprietor of an intellectual property right using that right to control the subsequent commercialization of products that have been placed on the European market by him or with his consent**
- Q) The definition of a design for the purposes of Registered Design protection:?-->**covers only manufactured products**
- Q) Novelty in the case of registered designs means?-->**That obscure prior disclosures are unlikely to destroy novelty**
- Q) The agency responsible for registration of trademarks in India is?-->**Trademark registry**
- Q) In India patents & design Act enacted in?-->**1911.**
- Q) Trademarks Act in India enacted in?-->**1999**
- Q) World intellectual property day celebrated in?-->**Every year April 2**
- Q) The agency responsible for granting patents in India is?-->**Office of the controller general of patents, designs and trademarks**
- Q) The semi conductor layout protection law in India is administrated by?-->**Ministry of Tele communications & Information Technology**
- Q) The patent law in India is administrated by?-->**Office of the controller general of patents, designs and trademarks**
- Q) The copy right law in India is administrated by?-->**Ministry of Human Resource Development**
- Q) Which one of the following does 'sufficiency' mean in relation to an application for a patent?-->**The specification must disclose the invention in a manner which is clear enough and complete enough to enable the invention to be performed by a person skilled in the art**
- Q) The novelty of a patent application will be compromised if it is anticipated. Which one of the following best describes anticipation by disclosure?-->**The disclosure must be available to the public such that persons were free in law and equity to work the invention regardless of whether they did so**
- Q) Section 3 of the Patents Act 1977 states that an invention involves an inventive step if it is not obvious to a person skilled in the art. Which one of the following statements is correct about a person skilled in the art?-->**A person skilled in the art has common general knowledge about the art but possesses no inventive faculties**
- Q) In relation to the requirement that an invention involves an inventive step, which one of the following statements is not correct?-->**The Windsurfing test is no longer of any use as it is incompatible with the Protocol on Article 69 of the European Patent Convention**
- Q) Year of Digital Millennium copy right Act?-->**1998**
- Q) Under s 14(5) of the Patents Act 1977, the claims are required to define the matter for which the applicant seeks protection and three other things are required of the claims. Which one of the following is not one of those other requirements?-->**The claims shall be covetous**
- Q) The copy right Act, 1957 came into effect from?-->**January 1958**
- Q) Information Technology Act, 2000 amended in?-->**2008**
- Q) In relation to the interpretation of patent claims to determine whether an alleged infringement does indeed infringe, which one of the following statements is correct?-->**A purposive interpretation of the claims is called for that represents a media so as to combine a fair protection for the patentee with a reasonable degree of certainty for third parties ----Answer**
- Q) Which one of the following best describes the 'Gillette defence' to a patent infringement action?-->**The alleged infringement lacked novelty or was obvious at the priority date of the patent alleged to have been infringed. Therefore, the patent is invalid or, if valid, the alleged infringement falls outside the scope of the claims of the patent**
- Q) Which of these statements about the European Patent Convention is true?-->**It harmonizes the patent laws of the member states**
- Q) To apply for a patent, an inventor must:-->**File an application at a patent office which must comply with formal and technical requirements**
- Q) Which one of the following describes the nature of a patent in terms of property?-->**A patent is a form of personal property but is not a thing in action**

- Q) Which one of the following transactions is not required to be registered under the Patent Act 1977?-->**The assignment of beneficial ownership of a patent**
- Q) In relation to the things excluded from the grant of a patent under s 1(2) of the Patents Act 1997, which one of the following statements is not correct?-->**The thing in question is excluded if the patent or the application for a patent involves that thing irrespective of whether there is some technical effect which is not itself excluded**
- Q) Schedule A2 para 3 to the Patents Act 1977 list a number of biotechnological inventions that are not patentable. Which one of the following is not on that list of excluded inventions?-->**Micro-biological processes for the production of plants or animals**
- Q) Gordon sends a full description of his invention to Shiela, a businesswoman who is known to provide start-up funding to entrepreneurs, by a letter sent on 6th June. On 8th June he files a patent application. In which of the following situations will his letter to Shiela render his invention not new?-->**Shiela was not under a duty of confidence to Gordon and got the letter on 7th June, but didn't open it until 9th June**
- Q) A patent will be invalid for lack of novelty if:-->**A video describing how to make the product claimed was published on the internet prior to the priority date**
- Q) An invention claimed in a patent is obvious if:-->**The skilled person, working from a particular piece of prior art and bearing in mind common general knowledge, would have identified a problem to be solved and in solving it found the claimed invention**
- Q) The linked legal concepts of support for claims and sufficiency of teaching govern the relationship between what is claimed and the content of the description. Which of the following statements about these requirements is incorrect?-->**The skilled person must be able, without due burden, to carry out the invention across the breadth of the claim**
- Q) Gordon wishes to patent his latest idea, which consists of a computer which is programmed to control a known type of 3D printing machine to make objects to designs submitted via the internet by customers. The computer automatically checks the design files submitted by customers to see that they are capable of being made by the machine, then if the design works, the specified number of things are made and sent to the customer. This invention will be patentable before the EPO if:-->**Gordon claims his invention as a computer programmed to carry out the process and his invention's novelty and inventive step lie in a technical area.**
- Q) The patentability of biotechnological inventions is limited in which of the following ways?-->**Genetic sequences on their own cannot be patented**
- Q) An "international application" under the Patent Co-operation Treaty:-->**is searched against by a single search conducted at a designated office**
- Q) Which of the following statements about the excluded categories in s. 1 PA 1977 are true?-->**According to the EPO, the excluded categories are examples of non-technical subject-matter**
- Q) Which of these can you patent?-->**technological advance**
- Q) Should you disclose your idea before applying for a patent?-->**not unless absolutely necessary and only by confidentiality agreement**
- Q) The closely guarded formula for making Coca-Cola is an example of what type of IP?-->**Trade Secret**
- Q) A photographer has written a novel on Photography. How he should protect his intellectual property?-->**COPY RIGHT**
- Q) What are the requirements for obtaining a patent?-->**It should be new, inventive, and useful.**
- Q) A patent gives the owner the right to:-->**prevent others from making, using or selling their invention**
- Q) You can infringe a patent by:-->**Selling the main components of the product, together with instructions how to assemble it using commonly available fastening components such as nuts, bolts, cable-ties and so on**
- Q) Which of the following statements about the action for groundless threats is true?-->**It is OK to threaten manufacturers or importers**
- Q) A filed an application for a patent for his invention in US on March 20th, 2013. B filed an application for a patent in US on 22nd March, 2013 for the same invention. Who will get a patent?-->**A will get patent**
- Q) Which is the correct statement?-->**A product infringes a patent claim**
- Q) Can I get a worldwide patent?-->**No, there is no such thing as a worldwide patent**
- Q) A preliminary search of patent literature-->**gives you an idea if your invention has already been published**
- Q) If you want to know what is actually covered by a granted patent, you will look at:-->**the claims**
- Q) A scientist has designed a container for storing a liquid soap. The container is in shape of different fruits which increases its aesthetic appeal to consumers. The container is different from the bottles previously known only in terms of more appealing shape & pleasant colour. He can protect the unique design of his container using:-->**Industrial Designs**

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- Q) Can patents be granted to process of making the product?-->**Both can be patented**
- Q) International Economic regulation can be concerned with two States only. It can also be concerned with many States. What are the terms to describe these two types of regulation?-->**Bilateral and multilateral economic regulation**
- Q) International Economic Law is increasingly seen to be having a dual character. This character relates to?-->**Traders and States**
- Q) What is the subject matter of International Economic Law in the main?-->**Economic relations between States**
- Q) A product is already cleared from infringement perspective in US. Can we launch the same in Europe without any Infringement clearance? In accordance to circumstance posed, identify which of the below statements hold correct:-->**To safely launch a product in Europe, you need to have separate infringement clearance**
- Q) The General Agreement on Tariffs and Trade was replaced by the-->**World Trade Organisation**
- Q) A firm may lose its intellectual property to its competitors several ways. Which method works by competitors engaging in innovation and production of a superior product or service that acts as a substitute for the firm's product or service?-->**Obsolescence**
- Q) Trade in services includes which of the following?-->**Insurance**
- Q) Depending on the level of force behind an International Economic Law instrument, an instrument as such can be:-->**Hard or soft law**
- Q) What was the name of the Agreement that laid the foundations for the creation of the WTO, the IMF and the World Bank Group?-->**The Bretton Woods Agreement (1944)**
- Q) Which of the following is an example of intellectual property?-->**Trademarks**
- Q) Negotiations about intellectual property rights are most important to-->**the United States**
- Q) As in the case of patents, copyrights, or trade secrets, infringement of trademarks is associated with a set of remedies. Which remedy do all four components have in common?-->**Court allowed damages for infringements**
- Q) Deterrence of international pirating activities is usually accomplished through several means. Which involves use of a tool by the U.S. government to induce changes in intellectual property policies of foreign countries based on Section 301, a provision of the U.S. Trade and Tariff Act?-->**Bilateral agreements**
- Q) In the United States, there are four major forms of intellectual property protection. Which of the four has as its goals to combat unethical marketing practices, protect goodwill, and enhance distributional efficiency?-->**Trade marks**
- Q) Generic mechanisms for intellectual property protection include the following. Which measure enables a firm to keep one step ahead of the competition by introducing a new product?-->**Continuous innovation**
- Q) competitors may imitate a product or process if four sets of requirements are met. Which process is based on the competitor's ability to figure out how the intellectual capital can be constructed?-->**Diagnosis**
- Q) A firm protects itself from imitation by undertaking actions that are visible in the marketplace. Which action produces obstruction of distribution outlets, establishes brand recognition, and thwarts test marketing efforts?-->**Erection of entry barriers**
- Q) Another way firms prevent loss of intellectual capital is to seek to upgrade or replenish it through continual innovation. Which area of innovation allows a firm to preempt its competitors through successive generations of superior products?-->**Product cannibalization**
- Q) When is copy right Violation a felony?-->**When the Violation involved more than 10 copies and value over \$2500**
- Q) All of the following are factors used to consider whether a use is Fair or not, except?-->**As a whole.**
- Q) Fair use was created to allow all of the following except?-->**Derivative works**
- Q) Each of the forms of intellectual property protection is affected by globalization. Which pair of policies applies to trademarks?-->**Patent Convention and Madrid Protocol**
- Q) There are four main ways a gray market is created. Which entity creates the gray market by foreign manufacturers exporting to the United States or a third party purchases exporting to the United States.-->**An independent manufacturing company sells the U.S. trademark rights to a domestic U.S. company**
- Q) When is a creative and Original work put in the public Domain?-->**When you have explicit permission from the author or owner**
- Q) Fair use is?-->**Generally a short excerpt and attributes to the author**
- Q) What types of work can be copyrighted?-->**All types of Original works**
- Q) The term of copyright for an Author lasts how long?-->**The life of the Author plus seventy years**
- Q) What is the best way to avoided issues with fair use?-->**Use public domain resources when ever is possible**
- Q) What is more likely to be considered Fair use?-->**A Factual work**

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- Q) Guidelines are established to help educators to understand what under most circumstances they are allow to copy. According to those guidelines what generally acceptable to copy?-->**A single chapter from a book**
- Q) An Article, short story or essay may be copied if?-->**It is 2500 words or less**
- Q) Guidelines are established to help educators to understand what under most circumstances they are allow to copy, According to those guidelines dont allow users to do all the following, except what?-->**Copy a whole chapter in a book**
- Q) Shops selling recordings, purchased in good faith, which turn out to have been made in infringement of a performer's rights:-->**Will infringe by selling after they have been put on notice**
- Q) Which of the following statements about the right to equitable remuneration are true?-->**It is paid to performers on sound recordings by the record company**
- Q) Which of the following people are not infringing performers 'rights in the recorded performances?-->**Someone who sells a CD containing illegally downloaded music to a friend**
- Q) Which one of the statement is true?-->**Materials created by the Federal Govt are public domain**
- Q) Copy right protection begins when?-->**When the original work is fixed in tangible medium of expression**
- Q) If a work is commission by a company or individual the original creator-->**Retains ownership of the work unless Author agreement has been made**
- Q) To qualify for a performer's right, a performance:-->**Must be made by a qualifying individual, or in a qualifying country**
- Q) The British Crown justified copyright law as a way to:-->**Provide an incentive by rewarding creators of literature and art for their labor**
- Q) Reflecting upon precedent set in the Supreme Court's review of Feist Publications, Inc. v. Rural Telephone Service Co., Inc. (1991), alphabetically ordered lists of facts are:-->**Not covered under copyright**
- Q) As a result of the Federal Dilution Trademark Act, trademarks:-->**May not be used without consent on dissimilar products**
- Q) A music recording company:-->**Must make a payment to every musician for every copy of the recording made**
- Q) A performer 's moral rights are infringed:-->**When a sound recording of a performance is altered in a derogatory way and communicated to the public**
- Q) Copyright law protects:-->**Intangible property**
- Q) Trademark law protects:-->**Words, symbols or devices that differentiate goods or services from one another**
- Q) In New York Times Co. v. Tasini (2001), the Supreme Court found-->**Databases are not revised editions of original publications**
- Q) Which of these statements is true about the general nature of passing off?-->**There must be a false representation**
- Q) Upon reviewing Napster 's file-sharing service, the Ninth Circuit Court of Appeals-->**Ordered Napster to stop facilitating the trading of protected sound recordings**
- Q) Excluding "work for hires," a sole-authored original work created after 1978 receives copyright protection for:-->**The life of the creator plus 70 years**
- Q) Which of the following elements do courts give the most weight to when reviewing fair use defenses-->**The effect of the use on the potential market for or value of the copyrighted work**
- Q) College course packets containing book chapters, journal articles and news clippings are:-->**Not protected under fair use and require copyright permission and possible fees**
- Q) Before an owner of a copyrighted work may sue for infringement, the work in question must be:-->**Officially registered with the U.S. Copyright Office**
- Q) Which of the following signs are not "capable of graphical representation";?-->**a smell**
- Q) The objections under Art. 3.1(c) of the Directive:-->**Apply to marks which might be used to describe the goods**
- Q) Which of the following statements is true?-->**Reverse passing off is where the defendant makes a representation about the claimant 's goods**
- Q) The goodwill that the law of passing-off protects:-->**Must exist at the time of the defendant 's activities that are complained of**
- Q) The misrepresentation in passing-off:-->**May be a misrepresentation as to the quality of goods**
- Q) The misrepresentation must:-->**Mislead a substantial proportion of the customers for the defendant 's products or services**
- Q) For a misrepresentation that is effective to be actionable it must cause loss to the claimant. Which of the following is not a recognized form of loss?-->**Upset on the part of the claimant**