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MIP-107

**POST GRADUATE DIPLOMA IN
INTELLECTUAL PROPERTY RIGHTS
(PGDIPR)**

Term-End Examination

December, 2024

**MIP-107 : TRADE SECRETS, COMPETITION LAW
AND PROTECTION OF TCE**

Time : 3 Hours

Maximum Marks : 100

Note : *This question paper is divided into three
Parts : Part A, Part B and Part C. All Parts
are compulsory.*

Part—A

Note : *Answer any **four** of the following questions
in about **150** words. Each question carries
5 marks.*

$4 \times 5 = 20$

Explain the following in brief :

1. Principle of Exhaustion.
2. Confidentiality Agreements.
3. Beneficiaries with respect to Traditional Cultural Expressions (TCEs).

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4. Nagoya Protocol.
5. Restraint of Trade and IP licensing.

Part—B

Note : Answer any **five** of the following questions in about **300** words each. Each question carries 10 marks. 5×10=50

6. Discuss the contribution made by the UNESCO in the field of protection and promotion of cultural heritage and cultural diversity.
7. Discuss the main features of the Convention on Biological Diversity (CBD), 1992.
8. Discuss the judicial perspective on specific categories of unfair trade practices.
9. Explain in brief provisions of TRIPS Agreement relating to the trade secrets.
10. Define Traditional Cultural Expression. What is the rationale behind its protection ? Discuss.
11. Analyse the main objectives behind the competition law.

12. Write a note on the initiatives taken by WIPO and UNESCO for the protection of Traditional Cultural Expressions (TCEs).

Part—C

Note : Answer any **two** of the following questions in about **500** words. Each question carries 15 marks. 2×15=30

13. Critically analyse the effect of globalization and technological advancement on the protection of Traditional Cultural Expressions (TCEs).
14. Discuss the relationship between competition, competitiveness and economic development.
15. Describe the legislative framework for the protection of trade secrets in India. Also analyse the judicial approach in this connection.
16. What is compulsory licensing ? Explain with the help of suitable examples and relevant provisions.

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