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[For departmental use]
[Exercise-01]

E-exercise

On

Intellectual Property Rights
(I.P.R.)

Note:

In this E-exercise, attempts have been made to understand the concept of Intellectual Property Rights in the Customs and Excise Department. It is expected that it will help the new entrants into the service. Though all efforts have been made to make this exercise error free, but it is possible that some errors might have crept into the same. If you notice any errors or if you have any suggestion to improve this exercise, the same may be brought to the notice to the NACEN, RTI, Kanpur on the Email addresses: rtinacenkanpur@yahoo.co.in or goyalcp@hotmail.com (Email address of ADG, RTI, NACEN, Kanpur). This may not be a perfect E-exercise and all are requested to assist us to make it better.

Take the following Quiz & Test your knowledge

Participant is requested to undertake this test as to check his knowledge of Intellectual Property Rights and role of Customs authority in enforcement of these rights at Border.

Q.No.1 The term “WIPO” stands for:-

- (a). World Investment policy organization
- (b). World intellectual property organization
- (c). Wildlife Investigation and Policing organization
- (d). World institute for Prevention of organized crime

Q. No.2 Which of the following is an ‘intellectual property’ as per IPR Laws in India.

- (a). Original literary work;
- (b). Industrial Design of Maruti800 car;
- (c). Trademark of Tata company
- (d). All the above

Q. No.3 Read the sentence given below and Tick mark as ‘True’ or ‘False’.

- (a). Customs authorities has no role in enforcement of Intellectual property rights.[]
- (b). Customs law empower customs officers to take action against IPR infringing goods at the time of import. []
- (c). It is responsibility of Customs officers to seize infringing goods at the time of import even if the IPR right holder is not interested in enforcing his IPR. []
- (d). Customs holder normally takes action against infringing goods at the initiative of right holder. []
- (e). It is only the right holder, who can tell the officer as to whether the particular imported goods are infringing or not. []
- (f). If any fake goods are being produced in any factory, the Custom officer can seized such goods. []
- (g). If any counterfeit imported goods are being sold at any shop, the jurisdictional Customs officers can seize such goods.[]

For each of the following intellectual property examples, state the area of IP law that would be most appropriate for their protection:-

Intellectual Property Rights

Q. No.4) A company wishes to ensure that no one else can use their logo.

- (a). Copy rights
- (b). Trade mark
- (c). Patent
- (a). Industrial designs
- (b). Geographical indications

Q. No.5. A singer wishes to assign the rights to reproduce a video she has made of her concert.

- (a). Copy rights
- (b). Trade mark
- (c). Patent
- (a). Industrial designs
- (b). Geographical indications

Q. No.6 A new way to process milk so that there is no fat in any cheese made from it.

- (a). Copy rights
- (b). Trade mark
- (c). Patent
- (a). Industrial designs
- (b). Geographical indications

Q. No.7 A company has decided to invest in outer shape design of bottle in which they would fill the perfume produced by them, and which is distinctive, and they wish to ensure that they have sole use.

- (a). Copy rights
- (b). Trade mark
- (c). Patent
- (a). Industrial designs
- (b). Geographical indications

Q. No.8 A company decides to use a logo that has the same shape as its competitor but with a different color

- (a). Copy rights
- (b). Trade mark
- (c). Patent
- (d). Industrial designs
- (e). Geographical indications

Intellectual Property Rights

- Q. No.9 Which of the following is not an intellectual property law?
- (a). Copyright Act, 1957
 - (b). Trademark Act, 1999
 - (c). Patent Act, 1970
 - (d). Design Act, 2000
 - (e). Customs Act, 1962
- Q.No.10 Copyright law applies to forms of expression contained in,-
- (a). Song lyrics and musical compositions
 - (b). Sculptures and paintings
 - (c). Dramatic and literary works
 - (d). All of the above
- Q.No.11 A trademark is represented by several key characteristics. Which of the following is one of them?
- (a). A trademark identifies a product's origin
 - (b). Slogans are not covered under trademark law
 - (c). Trademarks are never an indicator of quality
 - (d). Trademarks are "shorthand" for retailers to use in determining pricing strategy
- Q.No.12 Which of the following statements is true?
- (a). Trademark registrations can be renewed for an unlimited number of ten-year periods
 - (b). Trademark law is intended to protect the owner's original work
 - (c). To qualify for federal protection, a mark must be distinctive and have a "secondary meaning."
 - (d). Surnames alone can be trademarked
- Q. No.13 Trade in services includes which of the following?
- (a). Computer hardware
 - (b). Textiles
 - (c). Insurance
 - (d). Aerospace
- Q.No.14 Trademark law protects.....
- (a). Words, symbols or devices that differentiate goods or services from one another.
 - (b). Only brand names
 - (c). Names of specific people and places
 - (d). Inventions that feature some sort of utility function

Q. No.15 Which of the following principles is applicable to trademarks?

- (a). A trademark should be distinctive
- (b). A trademark should be capable of distinguishing goods or services
- (c). A trademark should not cause confusion with previous trademarks
- (d). A trademark should not be deceptive
- (e). All of the above

Q. No. 16: The term of copyright for an author lasts how long?

- (a). The life of the author
- (b). The life of the author plus 60 years
- (c). 95 years
- (d). 75 years

Q. No. 17: The rights provided by copyrights are

- (a). Reproduction of the work in various forms
- (b). Public performance and translate into other languages
- (c). Broadcasting by radio or cable
- (d). All of the above

Q. No. 18 Why an invention should be patented?

- (a). It gives protection to a patentable invention.
- (b). It gives legal recognition to the invention.
- (c). It makes others aware of the fact as to whom does the invention belong
- (d). Patenting one's invention make useful data relating to the invention available to other inventions for further research and development.

Out of four reasons given above, please identify the correct reasons:-

- (a). (ii) and (iii)
- (b). (ii), (iii) and (iv)
- (c). None of the above
- (d). All of the above

Q.No.19 The rights of a patentee are

- (a). Sell or distribute
- (b). License
- (c). Assign the property to others
- (d). All of the above

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Q.No.20 A policy (or policies) behind the patent system is

1. to encourage an inventor to disclose an invention by granting exclusive rights over the invention to the inventor
2. to benefit the public by limiting the scope and term of the exclusive rights granted to an inventor
3. to benefit the public through encouraging innovation by publishing a full disclosure of the technical details of the invention
4. to benefit the public through guaranteeing that the inventor can commercialize his/her invention

- (a). and (ii) above
- (b). (i), (ii) and (iii) above
- (c). (ii), (iii) and (iv) above
- (d). None of the above

Q.No.21 In your view, who can be the right holder of IPR?

- (a). Owner of the intellectual property.
- (b). The successor in title of the owner of intellectual property.
- (c). A licensee duly authorized by the owner of the intellectual property.
- (d). All the above

ANSWERS OF MULTI CHOICE QUESTIONS (MCQs)

Q.No.		Answer
1.		b
2.		d
3.	a	FALSE
	b	TRUE
	c	FALSE
	d	TRUE
	e	TRUE
	f	FALSE
	g	FALSE
4.		b
5.		a
6.		c
7.		d
8.		d
9.		e
10.		d
11.		a
12.		a
13.		c
14.		a
15.		b
16.		e
17.		c
18.		b
19.		d
20.		d
21.		d
22.		b
23.		d