

Total number of printed pages-5

19 (IV) BDPR 4.7 (H)

2018

BIODIVERSITY PROTECTION

Paper : 4.7 H₆ (IPL Group)

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks with appropriate answer :
1×10=10
 - a) Intellectual Property is an asset like other forms of _____ property.
[physical/intangible/tangible]
 - b) Plant varieties and inbred lines may be patentable or protected under an effective _____ system. [*sui generis*/TRIP]
 - c) If a patent application is accompanied by a provisional specification, the complete specification should be filed within _____ months of filing of the application. [12/6]

Contd.

- d) Section 6 of the Biological Diversity Act of 2002 clearly states that no application for _____ is to be filed in any foreign country without prior approval of the National Biodiversity Authority (NBA).
[IPRs /BDA Rights]
- e) Convention on Biological Diversity signed at Rio de Janeiro on the 5th day of June, 1992 came into force on the _____ December, 1993. [29th/ 27th]
- f) “Fair and equitable benefit sharing” means sharing of benefits as determined by the _____ under section 21.
[State Biodiversity Authority/National Biodiversity Authority]
- g) ‘Gene Fund’ means the _____Gene Fund constituted under section 45 (1) of The Protection of Plant Varieties and Farmers’ Rights Act, 2001. [National/State]
- h) The registration of geographical indication is initially valid for a period of _____ years. [5/10]
- i) Biosurvey and _____ means survey or collection of species, subspecies, genes, components and extracts of biological resource for any purpose and includes characterization, inventorisation and bioassay. [bio-utilization/biodiversity]

j) "State Biodiversity Board" means the State Biodiversity Board established under section _____ of the Biological Diversity Act of 2002. [22/8]

2. Write short answers : 2×5=10

- a) Property Rights
- b) Biotechnology patents
- c) Biodiversity as Sovereign Rights
- d) Plant Breeding, Culture, farmers' Rights
- e) Multinational Ownership.

3. 'The Indian Patent (Amendment) Act, 2005 introduced some important changes on the legal regime of patent protection so as to address patent issues in technology, chemicals and pharmaceuticals sectors.' What are the changes brought by the Act of 2005? Discuss. 12

Or

Discuss the salient features of the Patent (Amendment) Act, 2005. 12

4. Discuss the major objectives of the Protection of Plant Varieties and Farmers' Rights Act, 2001. 12

Or

Discuss the procedure for Registration of new plant varieties under the Protection of Plant Varieties and Farmers' Rights Act, 2001. 12

5. Discuss the Principles of Biodiversity. Do you agree the Protection of Biodiversity as Sovereign Rights? If yes, elucidate. 12

Or

'Biological resources means plants, animals and microorganisms or parts thereof, their genetic material and by-products with actual or potential use or value but does not include human genetic material'.

Discuss and elucidate in the light of various provisions of the The Biological Diversity Act, 2002. 12

6. What is Biodiversity? Discuss the need of a biodiversity legislation. 12

Or

'The successful development of biological diversity will depend upon creative relationship that can be nurtured between two opposite poles — formal innovative and community systems'.

Elucidate the statement in the light of the provisions of the Biological Diversity Act, 2002.

12

7. Discuss the salient features of the The Geographical Indications of goods (Registration and Protection) Act. 12

Or

What are the objectives of the The Geographical Indications of Goods (Registration and Protection) Act? Briefly discuss the provisions for Protection of Geographical Indications under the Act.

12



Total number of printed pages-4

19 (3-IV) BDPR 4.7 (H)

2016

BIODIVERSITY PROTECTION

Paper : 4.7H₆

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

PART - A

(Compulsory)

1×10=10

1. (a) Intellectual property rights are considered as reward for creative and skillful work in execution of _____.
(Ideas/Property)
- (b) Intellectual property rights are _____ for inventors. (Incentives / Premiums)
- (c) Intellectual property is _____.
(Multidisciplinary / Monodisciplinary)

Contd.

- (d) As per the Patent Act 1970, the term of the Patent was _____ years from the date of application. (7/5)
- (e) There are _____ notions involved in recognizing geographical indications. (Two/Three)
- (f) Geographical indication protection provide _____ right benefit. (Single holder's right/Collective right)
- (g) The chairman as per the Biological Diversity Rules 2004 appointed by _____. (Central govt. / State govt.)
- (h) The offences under the Biological Diversity Act, 2002 shall be _____. (Cognizable/ Non Cognizable)
- (i) Under the Biological Diversity Act State government has _____ to make rules. (Power / No Power)
- (j) The term of office of chairperson of the National Biodiversity Authority is _____ years. (Three / five)

PART – B

(**Compulsory**)

2×5=10

2. Write short answers to the following :
- (a) Plant Varieties Registry.
 - (b) What is bio-technology ?
 - (c) Indication of sources.
 - (d) Bio-Diversity as Sovereign right.
 - (e) Objects of TRIP agreement.

PART – C

Answer **any five** from the following :

12×5=60

- 3. Write the objectives of Protection of Varieties of plant and farmers' right system in India.
- 4. How do you understand the term "Bio-Diversity" ? Write the impact on Bio-diversity preservation after TRIP agreement.
- 5. Discuss the Legal Framework of Bio-Diversity Act in India.
- 6. Write the strategy initiatives for protection of Bio-diversity in India.

7. Write the power and function of the National Biodiversity Authority as mentioned under the Act.
 8. Write the salient features of the Geographical Indications of Goods (Registration and Protection) Act, 1999.
 9. Define and briefly describe :
 - (1) Farmers' rights
 - (2) Producers
 - (3) Authorized
 - (4) Registered Proprietor.
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