

## Unit 6 - Week 4

### Course outline

#### How to access the portal

#### Week 0

#### Week 1

#### Week 2

#### Week 3

#### Week 4

- Lecture 20 - Who Can Apply for a Patent?
- Lecture 21 - Form of Application
- Lecture 22 - Patent Application: Making, What to include, and Types
- Lecture 23 - Powers of Controller: Generally
- Lecture 24 - Patents of Addition
- Lecture 25 - Priority Dates
- Week 4 - Feedback - Patent Law For Engineers And Scientists

#### Quiz : Assignment 4

#### Week 5

#### Week 6

#### Week 7

#### Week 8

#### Week 9

#### Week 10

#### Week 11

#### Week 12

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## Assignment 4

The due date for submitting this assignment has passed.  
As per our records you have not submitted this assignment.

**Due on 2019-08-28, 23:59 IST.**

### Instructions

- A.This Assignment is of 10 points. Each question is of 1 point.  
B.All the questions are compulsory.  
C.Questions 1-8 are Multiple Choice Questions with only one option correct D.Questions 9-10 are Multiple Select Questions with more than one option correct (at least two options are correct). Marks will only be awarded if all the options are correct.  
E.Students should read the questions very carefully before answering. There is no negative marking.

- 1) A declaration of inventorship of the invention shall be filed in Form 5 **1 point**
- With the complete specification
  - Any time before the expiration of one month from date of filing of complete specification
  - Either (a) or (b)
  - Any time before the grant of the patent

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
Either (a) or (b)

- 2) **Statement 1: A true and first inventor is someone who imports the invention from abroad** **1 point**  
**Statement 2: A legal representative means a person who represents a true and the first inventor**
- Statement 1 is true, 2 is false
  - Statement 1 is false, 2 is true
  - Statement 1 and 2 both are false
  - Statements 1 and 2 both are true

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
Statement 1 and 2 both are false

- 3) **Statement 1: The Applicant shall use Form 1 to file a Divisional application** **1 point**  
**Statement 2: If there are no forms to be used, the applicant shall use Form 30**
- Statement 1 is true, 2 is false
  - Statement 1 is false, 2 is true
  - Statements 1 and 2 both are false
  - Statements 1 and 2 both are true

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
Statements 1 and 2 both are true

- 4) **The statement and undertaking regarding the filing of foreign application by an applicant shall be filed** **1 point**
- On Form 3 within six months of the filing of such application
  - On Form 3 immediately after grant of the foreign patent
  - On Form 3 within 2 years of the filing of such application
  - On Form 3 within one year of the filing

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
On Form 3 within six months of the filing of such application

- 5) The proof of right shall be furnished within a period of \_\_\_\_\_ if not submitted with the application **1 point**
- 2 months
  - 3 months
  - 6 months
  - 9 months

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
6 months

- 6) When the complete specification is filed in pursuance of two or more applications and the claim is fairly based on matter disclosed partly in one and partly in another, the priority date of that claim shall be **1 point**
- Date of filing of the application accompanied by the specification with former date
  - Date of filing of the application accompanied by the specification with later date
  - Date of filing of the application accompanied by that specification
  - All of the above

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
Date of filing of the application accompanied by the specification with later date

- 7) Which among the following is NOT TRUE in relation to a patent of addition **1 point**
- If the patent for the main invention is revoked, the patent of addition may continue as an independent patent for the remaining part of the term of the main patent
  - Renewal fee is to be paid to keep the patent of addition alive if the main patent is revoked
  - A patent of addition can be granted before the grant of the patent for the main invention
  - The term of the patent of addition is generally less than the term of the patent for the main invention

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
A patent of addition can be granted before the grant of the patent for the main invention

- 8) The Controller has the following powers **1 point**
- To override a decision by the High Court
  - To extend the time under Section 81 for doing any Act
  - To override a notification issued by the Central Government under Section 35
  - To issue notification under Section 92 in circumstances of National emergency

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
To extend the time under Section 81 for doing any Act

- 9) Who among the following are eligible to apply for patents **1 point**
- Any person claiming to be the true and first inventor of the invention
  - Any person being the assignee of the person claiming to be the true and first inventor
  - Legal representative of any deceased person who before his death was entitled to make such an application
  - A minor who didn't completely understand Patents Act

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
Any person claiming to be the true and first inventor of the invention  
Any person being the assignee of the person claiming to be the true and first inventor  
Legal representative of any deceased person who before his death was entitled to make such an application

- 10) Which among the following powers the Controller have in the Civil court **1 point**
- Awarding costs
  - Reviewing his own decision
  - Receiving evidence on affidavits
  - Summoning and enforcing the attendance of any person and examining him on oath

No, the answer is incorrect.  
Score: 0

Accepted Answers:  
Awarding costs  
Reviewing his own decision  
Receiving evidence on affidavits  
Summoning and enforcing the attendance of any person and examining him on oath