

Unit 9 - Week 7

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Assignment 7

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

Due on 2019-09-18, 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.
F. There is no negative marking.

1) When the Controller directs that a reference to another patent shall be inserted in the Applicant's specification under Section 19(1), such reference shall be inserted **1 point**

- Along with the Abstract
 After the Claims
 Along with the Applicant's name
 After the Title

No, the answer is incorrect.
Score: 0

Accepted Answers:
After the Claims

2) Statement 1: In a divisional application, either of the applications can share a claim for any matter claimed in the other application **1 point**

Statement 2: In a divisional application, the further application shall not include any matter disclosed in the complete specification of the first mentioned application

- Statement 1 is true, 2 is false
 Statement 1 is false, 2 is true
 Statements 1 and 2 are false
 Statements 1 and 2 are true

No, the answer is incorrect.
Score: 0

Accepted Answers:
Statement 1 is false, 2 is true

3) The Controller may at the request of the Applicant direct that the application shall be post-dated to such date at any time after filing of an application but **1 point**

- Before the grant of the patent
 After the surrender of the patent
 After filing Form 15 but within 18 months from the date on which patent ceased to have an effect
 All of the above

No, the answer is incorrect.
Score: 0

Accepted Answers:
Before the grant of the patent

4) Amendment of an application for a patent or a complete specification or any document relating thereto, at any time either before or after grant of the Patent **1 point**

Statement 1: shall be made by way of disclaimer, correction or explanation and incorporation of actual fact
Statement 2: Shall be allowed though it describes matter not in substance or shown in the specification before the amendment

- 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:
Statement 1 is true, 2 is false

5) A reference to other patent in a complete specification, in the case of potential infringement, can be deleted by the Controller only **1 point**

Statement 1: If the other patent is revoked
Statement 2: The specification of that other patent is amended by the deletion of the relevant claim

- Statement 1 is true, 2 is false
 Statement 1 is false, 2 is true
 Statements 1 and 2 are false
 Statements 1 and 2 are true

No, the answer is incorrect.
Score: 0

Accepted Answers:
Statements 1 and 2 are true

6) Which provision deals with the Powers of the Controller to make orders regarding substitution of applicants name **1 point**

- Section 16
 Section 17
 Section 20
 Section 28

No, the answer is incorrect.
Score: 0

Accepted Answers:
Section 20

7) Which among the following forms can be used if the applicant by virtue of an assignment or agreement makes a request to the Controller to substitute his name as the applicant to get an undivided share of the patent **1 point**

- Form 5
 Form 6
 Form 8
 Form 30

No, the answer is incorrect.
Score: 0

Accepted Answers:
Form 6

8) Where one of two or more joint applicants for a patent dies at any time before the patent has been granted, the following must be submitted as a proof of death along with Form 6 **1 point**

- A copy of the probate of the will of the deceased
 Letters of administration in respect of his estate
 A proof that a person who gives consent is the legal representative of the deceased person
 All of the above

No, the answer is incorrect.
Score: 0

Accepted Answers:
All of the above

9) If it appears to the Controller that the invention claimed in a claim of any other complete specification referred to 13(1)(b), he may direct that a reference to that other specification shall be inserted by a way of notice to the public in the applicant's complete specification unless **1 point**

- The applicant requests for a re-examination
 The applicant surrenders the patent
 The applicant shows to the satisfaction of the Controller that the priority date of his claim is not later than the priority date of the claim of the said other specification
 That the complete specification is amended to the satisfaction of the Controller

No, the answer is incorrect.
Score: 0

Accepted Answers:
The applicant shows to the satisfaction of the Controller that the priority date of his claim is not later than the priority date of the claim of the said other specification
That the complete specification is amended to the satisfaction of the Controller

10) An applicant has received a direction from the Controller under Section 16 of the Patents Act, 1970. Find out the correct option(s) of further act by the applicant **1 point**

- He may file divisional application before grant
 He may ask oral hearing to convince the Controller that the invention comes under single inventive concept
 He may forego second invention
 He may file divisional application for the second invention after the grant of first one

No, the answer is incorrect.
Score: 0

Accepted Answers:
He may file divisional application before grant
He may ask oral hearing to convince the Controller that the invention comes under single inventive concept
He may forego second invention