

Unit 11 - Week 9

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Assignment 9

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

Due on 2019-10-02, 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) In case of request for permission of making patent application outside India as per section 39 of the Act, the time frame to dispose such request by the Controller is: **1 point**

- Within 30 days from the request
 Within 21 days from the request
 Within 6 months from the request
 None of the above

No, the answer is incorrect.
Score: 0

Accepted Answers:
Within 21 days from the request

2) **Statement 1:** When any direction given under Section 35 is revoked by the Controller, then the Controller may subject to conditions, extend the time **1 point**

for doing anything required or authorized to be done under this Act, whether or not that time has previously expired

Statement 2: Provision under Section 39, shall apply to an invention for which an application for protection has first been filed in a country outside India by a

- person resident outside India
- 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 is true, 2 is false

3) **Statement 1:** Patent rights not infringed when used on foreign vessels, visiting temporarily to India, **1 point**

Statement 2: Where a patent is granted to two or more persons, each of those persons, shall, unless an agreement to the contrary is in force, be entitled to an

- equal undivided share in a patent
- 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

4) Any person who contravenes the direction given by the Controller under Section 39, makes or causes to be made an application for grant of a patent **1 point**

outside India, then the patent shall be

- Deemed to be abandoned
 Deemed to be revoked
 Deemed to be withdrawn
 Deemed to be surrendered

No, the answer is incorrect.
Score: 0

Accepted Answers:
Deemed to be abandoned

5) **Statement 1:** The term of every patent, which has not expired or has not ceased to have an effect, on the date of such commencement, under this Act, **1 point**

shall be twenty years from the date of filing of the application for the patent

Statement 2: The term of patent in case of International applications filed under the Patent Cooperation Treaty designating India, shall be twenty years from the

International filing date accorded under PCT

- 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) Under Grant of patent to true and first inventor where it has been obtained by another in fraud of him, the Controller shall, on request made by the **1 point**

petitioner in Form 12 within _____ from the date of the order of the Appellate Board or Court

- 1 month
 2 months
 3 months
 6 months

No, the answer is incorrect.
Score: 0

Accepted Answers:
3 months

7) The Patent certificate shall be issued within _____ from the date of grant of patent under Section 43 **1 point**

- 7 days
 15 days
 21 days
 1 month

No, the answer is incorrect.
Score: 0

Accepted Answers:
7 days

8) Any direction required to settle a dispute between the co-owners of the patent, shall be made to the Controller to seek directions to the co-owners by filing **1 point**

this form

- Form 5
 Form 10
 Form 11
 Form 12

No, the answer is incorrect.
Score: 0

Accepted Answers:
Form 11

9) An application for a patent has been found to be in order for grant of patent only when **1 point**

- The application has not been refused by the Controller by virtue of any power vested in him by this Act
 The application has not been found to be in contravention of any of the provisions of this Act
 The application has been directed to secrecy direction under Section 35
 The application covers more than one invention

No, the answer is incorrect.
Score: 0

Accepted Answers:
The application has not been refused by the Controller by virtue of any power vested in him by this Act
 The application has not been found to be in contravention of any of the provisions of this Act

10)The following documents can be inspected after the date of publication of a grant of a patent, by making a written request to the Controller and on **1 point**

payment of fees

- Provisional specification
 Drawing
 Abstract
 Complete specification

No, the answer is incorrect.
Score: 0

Accepted Answers:
Provisional specification
 Drawing
 Abstract
 Complete specification