

**QUALIFYING EXAMINATION
FOR REGISTRATION AS PATENT AGENTS
[U/S.126(1)(c)(ii) OF THE PATENTS ACT]**

17 November, 2004

WRITTEN TEST

PAPER – I 'PATENTS ACT AND RULES'

TIME - 2½ HOURS

TOTAL MARKS-100

[Answer all the Questions: Marks allotted are given against each question; sub-questions carry equal Marks]

Q. 1 Write full form of the followings: [10]

- (i) WIPO (ii) IB (iii) PCT (iv) ISA (v) IPER
- (vi) R.O. (vii) FER (viii) P.A. (ix) TRIPS (x) EMR

Q.2 Describe the followings: [15]

- (i) Qualifications for registration as Patent agent
- (ii) Disqualifications for registration as Patent agent.
- (iii) Rights of Patent agent.

Q.3 Write short notes on any five of the followings: [25]

- (i) Invention,
- (ii) Inventions not Patentable,
- (iii) Grounds of Opposition to the grant of Patent,
- (iv) Grant of EMR,
- (v) Rights of Patentees,
- (vi) Conditions to which grant of Patents are subjected,
- (vii) Compulsory Licences.

Contd.....2/-

: 2 :

Q.4 Fill in the blanks and complete the following sentences:

[40]

- (i) After filing a Patent application along with a Provisional specification, complete specification can be filed within _____ or within _____.
- (ii) A PCT National Phase application can be filed within _____ from the date of _____.
- (iii) An application for Patent shall not be open to the public for _____ from the date of _____ and before publication of the application for patent.
- (iv) Request for examination of the application for patent can be filed within _____ from the date of _____ of the application.
- (v) A request for examination of the application for patent can be filed by _____ or _____.
- (vi) A request for examination can be made within _____ from the date of revocation of the secrecy direction issued Under Section _____ of the Act.
- (vii) The Applicant can withdraw the application at any time after _____ of the application but before _____.
- (viii) An application shall not be published, if a request for withdrawing the application is made within _____ from the date of _____.
- (ix) Time for putting the application in order for acceptance by the applicant is _____ and further extension of time allowed under Section 21 is _____.
- (x) The normal period for putting the application in order for acceptance where F E R was issued on 17.05.2003 was _____ and the last date with maximum extension allowed will expire on _____.
- (xi) When claims of the complete specification relate to more than one invention the applicant can file a divisional application accompanied by _____ at any time before _____.
- (xii) Request for sealing of a patent is filed on Form _____ within _____ from the date of advertisement of the acceptance of complete specification.

Contd...3/-

: 3 :

- (xiii) The term of the patent is _____ from the date of _____.
- (xiv) The first renewal fee to be paid is for _____ which should be paid before the expiration of _____.
- (xv) The notice of opposition to the grant of patent can be filed by any person interested within a period of _____ or within _____ with extension from the date of advertisement of the acceptance of complete specification.
- (xvi) The application for patent can be filed by the inventor, within _____ after reading or publication of the paper containing the description of the invention, or in case of the invention has been publicly worked for the purpose of reasonable trial the application for patent can be filed within _____ without losing its novelty.
- (xvii) A method of treatment of human being is _____ under clause _____ of section 3 of the Act.
- (xviii) A method of testing during manufacturing rendering the machine more efficient is patentable w.e.f. _____ because clause _____ of section 3 of the Act has been omitted.
- (xix) For incorporating the name of inventors in the patent to be granted on the application made by a company request is to be made in Form _____ with a fee of Rs. _____.
- (xx) A Patent application by four joint applicants:
 (1) Mr. Randhir Das, Puri, Orissa, India, (2) Mr. Prakash Rathod, Nagpur, Maharashtra, (3) Mr. Ramakrishna Rao, Hyderabad, Andhra Pradesh and (4) Devinder Singh Parmar, West Patel Nagar, Delhi, all Indian Nationals can be filed at the Patent Office _____ with a Fee of Rs. _____.

Q.5 Answer the following by writing "Yes" OR "No"

[10]

- (i) It is mandatory to deposit a biological material mentioned in the specification and not available to the Public, in an Authorised Depository on or before the date of filing an application.
- (ii) It is mandatory to describe the prior art in the specification.
- (iii) It is mandatory to disclose the source and geographical origin of the biological material in the specification, when used in an invention.

Contd.....4/-

: 4 :

- (iv) An application for patent can be filed in Tamil language, at the Patent Office Chennai.
- (v) Fee payable for filing Patent application can be paid on 15th day of its filing.
- (vi) Fee is required to be paid for filing complete specification after provisional.
- (vii) A conventional application can be filed after 12 months by taking an extension.
- (viii) In case request for examination is filed by any other interested person the FER with documents is sent to him.
- (ix) Invention claiming a product related to medicine can be filed in India.
- (x) The patent application for an invention relating to defence purpose can be filed outside India, without filing in India or without obtaining written permission from the Controller.

[END]

TOTAL NO. OF PAGES-4

