

## **End of Module Test – Copyright – Module 2**

- 1) Copyright protects only the original idea, not the original expression of that idea.**
  - a) True
  - b) False
  
- 2) The minimum duration of copyright as specified under the Berne Convention is:**
  - a) 20 years from the creation of the work.
  - b) 50 years from the end of the year in which the author dies.
  - c) 70 years from the end of the year in which the author dies.
  - d) 50 years from the date of creation of the work.
  
- 3) Which of these rights remains with the author after the economic rights have been transferred?**
  - a) Rights of reproduction
  - b) Rights of communication to the public
  - c) Moral rights
  - d) Rights of performance
  
- 4) All of the following are covered by possible limitations or exceptions from the rights, except which one?**
  - a) Three quoted passages (less than 3 paragraphs) from a nonfiction book, contained within a review of the book for the book review section of a literary magazine.
  - b) Videotaping your absolute favorite movie on a cassette which never leaves your TV shelf.
  - c) Taking a copy of a visual image from an Internet Website that you want to use within your new commercial Website.
  - d) Making an audiotape copy of your newest CD to use in your car's tape player.

- 5) Given that an infringer has been selling within your own country (Country A) her domestically-produced illegitimate copies of your Number One selling song, which one of the following four choices would normally be the first action you would take to enforce your copyright?**
- a) Seek in civil court an action for economic injury against the infringer.
  - b) Approach the TRIPS Council for registering an infringement.
  - c) Where available, demonstrate to the proper judicial authorities that an infringement has occurred and that provisional measures be taken, without notice to the infringer, to prevent further entry of the infringing goods into commerce.
  - d) Request from neighboring countries D and J that they institute border controls to stop importation from country A of the infringing items.
- 6) Which one of the following does not qualify as a public performance?**
- a) A play presented in a free open air "theatre in the park."
  - b) A musical work being played by the composer in front of her family at an all-family gathering of 50 people.
  - c) A jazz CD being played over a restaurant's music system.
  - d) A cinema showing a newly-released film to people who have paid for their tickets.
- 7) You have developed an idea for a new system of financial record-keeping, you can become rich. This idea is so simple, all you have to do is to express that idea by writing a book, which protects you through copyright. Success comes to you; millions buy and read the book. Then start the problems. From the following list choose which one of the problems is the single infringement you may pursue.**
- a) It appears that bookkeepers are making a copy of your book at the library for their own use.
  - b) A competitor has taken your great idea and written another book which simplifies the instructions and reverses the format of your idea on record-keeping.
  - c) A non-profit Internet Website offers free downloads of your book.
  - d) You find your book in second-hand book stores at prices 50 % below retail.

- 8) **A right of distribution is granted under the law of your country. In a second hand bookshop, you find a copy of a novel written by you which is now out of print. In which case can you normally NOT take action against the shopowner for infringing your distribution right?**
- a) It is a copy of the book that you signed for an admirer at a promotion arrangement when the book was published.
  - b) It is not the book itself that is on sale, but your handwritten manuscript which you thought your mother threw out, but actually was taken by your brother.
  - c) It is a pirated copy of your book..
  - d) It is a photocopy of the book which was made by a library under a provision in the law permitting such copying when the book is not otherwise available. Later the library obtained a secondhand copy of the book and sold the photocopy.

End of Module 2 Test

Correct Answers:

- 1. b
- 2. b
- 3. c
- 4. c
- 5. c
- 6. b
- 7. c
- 8. a

**End of Module Test – Related Rights – Module 3****1) Related rights are those which relate to:**

- a) Patents
- b) Copyright
- c) Trademark

**2) Which groups of people or organisations do NOT normally benefit from related rights?**

- a) Performing artists
- b) Phonogram producers
- c) Internet content providers
- d) Broadcasting organisations

**3) The duration of protection of related rights under the Rome Convention is:**

- a) 50 years from the end of the year of the performer's death.
- b) 50 years from the end of the year performance took place.
- c) 20 years from the end of the year the performance took place.

**4) Expressions of folklore:**

- a) Can obtain some protection under related rights.
- b) Are not, as such, protected under related rights.

End of Module 3 Test

Correct Answers:

- 1. b
- 2. c
- 3. c
- 4. a

**End of Module Test – Trademarks – Module 4**

**1. In addition to words, letters, names, abbreviations, and logos, what other examples are considered trademarks?**

- a) 3 dimensional things, such as packages
- b) hologram marks
- c) smell marks or scents
- d) all of the above

**2. An example of a deceptive trademark is:**

- a) a label that includes the name of a region when the product is not really from that regions (i.e. Bordeaux).
- b) an image that does not accurately depict the product (i.e. Apple for computer).
- c) a name that describes the product (i.e. Mootel for portable cowsheds).

**3. One of the 2 main requirements under the Madrid Agreement is:**

- a) a trademark must be distinctive and should not be deceptive.
- b) a trademark should describe the goods or services it represents.
- c) a trademark must be registered by the World Commission of Trademark Registration (WCTR).

**4. A trademark, which has not been registered, is only covered under trademark protection if:**

- a) a national court of law recognises the trademark as original.
- b) substantial time has passed which gives the trademark a certain distinctiveness and reputation in the market.
- c) the product it represents is a food or beverage item.

**5. The symbol of a horse to represent a brand of sailboat is considered:**

- a) distinctive
- b) descriptive
- c) deceptive

**6. The owner of a trademark has the right to exclude others from using it.**

- a) True
- b) False

End of Module 4 Test

Correct Answers:

- 1. d
- 2. a
- 3. a
- 4. b
- 5. a
- 6. a

## **End of Module Test: Geographical Indications – Module 5**

**1) What is the purpose of a geographical indication?**

- a) To promote commerce by informing the customers of the origin of goods
- b) To provide a cheap way to get a trademark
- c) To protect an industrial process
- d) To give copyright on a logo'

**2) Choose the geographical indicators from the following.**

- a) Ford
- b) Lego
- c) Bordeaux wine
- d) Coca Cola
- e) France

**3) Choose two methods that are used by countries to protect geographical indications nationally.**

- a) By decree
- b) Using copyright laws
- c) TRIPS
- d) By a register

**Answers:**

- 1) a & b
- 2) a & c
- 3) a & d
- 4) b & c
- 5) b & d

**4) Choose from the list the name of the WIPO administered treaty that is concerned with the protection of appellations of origin.**

- a) The Hague Agreement
- b) The Madrid Agreement
- c) The Lisbon Agreement
- d) The Rome Agreement

End of Module 5 Test

Correct Answers:

- 1. a
- 2. c
- 3. 3
- 4. c



## End of Module Test - Industrial Design - Module 6

- 1) **Which of the following would most likely NOT be eligible for protection as an industrial design?**
  - a) A cork screw
  - b) A CD holder
  - c) A logo
  - d) A chair
  - e) A particular type of finish on the surface of a plastic object
  
- 2) **To be protected, the industrial design must be three-dimensional.**
  - a) True
  - b) False
  
- 3) **The minimum length of protection specified in the TRIPS Agreement for an industrial design is:**
  - a) 5 years
  - b) 10 years
  - c) 15 years
  - d) 20 years
  
- 4) **What is the name of the international agreement covering the international deposit of industrial designs?**
  - a) The Paris Agreement
  - b) The Geneva Agreement
  - c) The Amsterdam Protocol
  - d) The Hague Agreement

End of Module 6 Test

Correct Answers: 1. C, 2. B , 3. C, 4. D

**End of Module Test: Patents – Module 7**

**1) Choose from the following list two correct answers to this question:  
When a patent expires, it:**

- a) is automatically protected for an additional 20 years.
- b) passes into the public domain for free use
- c) becomes a trade secret.
- d) can be exploited without a license from the patent holder.

**Answers:**

- 1) a & b
- 2) a & d
- 3) b & c
- 4) b & d
- 5) c & d

**2) A 'worldwide' patent exists.**

- a. True
- b. False

**3) Through use of the PCT, it is simpler and cheaper to achieve patent protection in several chosen Offices at the same time, rather than to process applications individually in each of those Offices.**

- a. True
- b. False

- 4) **What happens if you do not pay an annual patent protection fee in a given country?**
- a) You would be automatically covered and protected for another year.
  - b) The patent protection lapses, is no longer valid in that country and goes into public domain for free use
  - c) At least 20 years must pass before the patent is considered legally expired.
- 5) **Which two of the following things are more typically patented?**
- a) a new chemical process
  - b) a painting
  - c) a book
  - d) a song
  - e) an improved perfume-distilling machine

**Answers:**

- 1) a & b
  - 2) a & d
  - 3) b & d
  - 4) a & e
  - 5) c & e
- 6) **From what you have learned about patent law, choose from the list below, all reasons why a “perpetual motion machine” be excluded from protection?**
- a) Because patents do not protect inventions of machines.
  - b) Because it has been invented already.
  - c) Because such a machine is illegal for public use.
  - d) Because such a machine defies the physical laws of nature

End of Modult 7 Test

Correct Answers:

1. 4, 2. B, 3. A, 4. B, 5. 4, 6. D

**End of Module Test: International Registrations – Module 8**

1. The main purpose of the Madrid System is to:
  - a) monitor the process of granting industrial designs to European inventors.
  - b) facilitate the granting of patents in different countries world-wide.
  - c) monitor the international registration of trademarks.
  
2. A trademark can be protected internationally for:
  - a) 75 years from the time the trademark was granted.
  - b) a fixed term of 100 years, with a review and renewal every 20 years.
  - c) an indefinite period, with a required renewal typically every 10 years.
  
3. **The System of international registration of industrial design is called:**
  - a) The Madrid System
  - b) The Hague Agreement
  - c) The Rome Convention
  
4. **The main difference between a patent and an industrial design is:**
  - a) A patent protects an innovation and invention and an industrial design protects the appearance of an object.
  - b) A patent protects the appearance of an object and an industrial design protects a new innovation or invention.
  - c) There is no difference between a patent and an industrial design.
  
5. **The owner of an industrial design is protected for:**
  - a) a fixed term of 20 years in countries of the European Union.
  - b) a fixed term of 50 years with a possible renewal of 25 additional years.
  - c) a fixed term of usually 10 years or 15 to 20 years depending on the country.

**6. The main purpose of the Patent Cooperation Treaty is:**

- a) to simplify and to make more effective the process of applying for patent protection in numerous countries.
- b) to grant world-wide patents.
- c) to monitor the filing of patent applications worldwide

**7. The 4 steps in the Patent Cooperation Treaty (PCT) process are:**

- a) the filing, the international examination, the international publication, the international search and the national phase.
- b) the filing, the international review for similar patents, the international search, international publication and the national phase.
- c) the filing, the international search, the international publication the international examination and the national phase.

**8. The Patent Cooperation Treaty (PCT) does not grant patents.**

- a) True
- b) False

**End of Module 8 Test**

**Correct Answers**

- 1. c
- 2. c
- 3. b
- 4. a
- 5. c
- 6. a
- 7. c
- 8. a

### **End of Module Test - Unfair competition - Module 9**

**1. Which of the following would you NOT consider to be an act of unfair competition?**

- a) A statement that a competitor's food is not Kosher when in fact it is.
- b) An untrue statement that a competitor is about to close.
- c) The copying of audio CDs and selling them at a cheaper price.
- d) The use of a trademark that is similar to the one of a competitors.
- e) Taking a list of customers with you with the intention to use it in your new job at a competing enterprise.

**2. Which of the following would be an act of unfair competition which could be classified under the heading 'misleading the public'?**

- a) A sugar lump 'lower in calories' (as a result of its smaller size).
- b) A product with packaging that uses the stars and stripes flag as decoration and the product was not made in the USA.
- c) A statement saying that a competitor was about to go bankrupt when in fact they were not.
- d) Imitating the look and image of a competitor.

Answers:

- 1) a & b
- 2) a & c
- 3) b & c
- 4) b & d
- 5) a & d

**3. Which two of the following is an act of discrediting a competitor?**

- a) Stating that French fries had been cooked in beef fat when they had not.
- b) Stealing their formula for a soft drink.
- c) Stating that a competitor's products are dangerous.
- d) Publishing the results of an independent survey mentioning a competitor's products.

Answers:

- 1) a & b
- 2) a & c
- 3) a & d
- 4) b & c
- 5) c & d

**4. Secret commercial information can always be protected by a patent**

- a) True
- b) False

**5. Which of the following could be considered as information suitable for protection as described in article 39 (2) of TRIPS?**

- a) A logo.
- b) A customer mailing list.
- c) The standard recipe for bread.
- d) The temperature at which a plastic product is 'cured'

Answer:

- 1) a & b
- 2) a & c
- 3) b & d
- 4) c & d
- 5) a & d

**6. Which of the following could be considered as an example of 'free riding'?**

- a) A restaurant taking advantage of the fact that a local amusement attraction has good road signs indicating its location by advertising that to get to the restaurant, a customer should follow the signs to the amusement attraction.
- b) Imitating the look and image of a competitor by having similar looking shop fittings.
- c) Referring to a competitor's TV advertisement

End of Module 9 Test

Correct Answers:

- 1. c
- 2. 1
- 3. 2
- 4. b
- 5. 3
- 6. b



**End of Module Test - Protection of the New Varieties of Plants - Module 10**

- 1) What is the minimum length of time in years for the protection of the rights of the breeder of a tree as given by the 1991 convention?**
  - a) 10
  - b) 15
  - c) 20
  - d) 25
  - e) 70
  
- 2) Which of the following actions could the holder of breeders' rights NOT prevent?**
  - a) The import of seeds into a country.
  - b) The use of the plant to breed a new variety of plant.
  - c) The harvesting of seeds for resale.
  
- 3) Is it necessary for a new variety of plant to undergo a technical examination for DUS in each country the breeder wishes protection?**
  - a) Yes
  - b) No
  - c) Not always

End of Module 10 Test

**Correct Answers**

1. d
2. b
3. c