



COLLEGE OF BUSINESS, PEACE, LEADERSHIP, AND GOVERNANCE

NMMS 216: INTELLECTUAL PROPERTY

APRIL/MAY 2023

LECTURER: DR STANISLAS BIGIRIMANA

DURATION: 3 HOURS

INSTRUCTIONS

ANSWER ONE QUESTION OF YOUR CHOICE IN EACH SECTION
SOUND ARGUMENT AND ILLUSTRATIONS WILL EARN YOU
MARKS

SECTION A

QUESTION 1(25 marks)

- 1) What is a patent?
- 2) Which types of works are protected by patents?
- 3) For how long does patent protection last?
- 4) Under which conditions one may use a patent's work without infringing the rights of the patent owner?
- 5) What is the difference between a patent and an industrial design?

QUESTION 2 (25 marks)

- 1) What is copyright?
- 2) Which types of works are protected by copyright?
- 3) For how long does copyright protection last?
- 4) Under which conditions one may use a work protected by copyright without infringing the rights of the copyright owner?
- 5) What is the difference between copyright and related rights?

SECTION B

QUESTION 3 (25 marks)

- 1) What is a trademark?
- 2) Using concrete examples from Zimbabwe shows the various forms that trademarks may take.
- 3) Bigirimana opened a restaurant called "Cow Boys" and a few meters from there Melissa opened a hair salon called "Cow Girls". Was there a trademark violation?
- 4) What is the difference between a trademark and a service mark?
- 5) Under which condition may authorities deny a person or an organization to use of a trademark?

QUESTION 4 (25 marks)

- 1) What is a geographical indication?
- 2) Is Mazoe Orange a trademark or a geographical indication?
- 3) What is the difference between a trademark and an appellation of origin?
- 4) For a company called Umtali Garments manufacturers does "Umtali" points to a geographical indication, a trademark, or an appellation of origin?
- 5) Using concrete examples explain challenges linked to the protection of some geographical indications.

SECTION C

QUESTION 5 (25 marks)

- 1) What is a trade secret?
- 2) Why do some organisations prefer using trade secrets rather than patents?
- 3) What measures should one put in place to minimize the risks of trade secret infringement?
- 4) Using concrete examples indicate how trade secrets are protected;
- 5) For how long a trade secret can be protected?

QUESTION 6 (25 marks)

- 1) What are related rights?
- 2) What is the difference between related rights and neighboring rights
- 3) For how long related rights should be protected?
- 4) Are there situations where someone can use works protected by related rights without violating the rights of the related rights owners?
- 5) What does “fair use” mean in intellectual property rights?

SECTION C

Here the student will be graded on the ability to identify demographic characteristics such as age, gender, level of education, and changes in behavioural patterns may trigger change in the organization

QUESTION 7 (25 marks)

Using Concrete examples, explain how technological factors may trigger a change in an organization.

Here the student will be graded on how the introduction of machines in production, transportation and communications processes triggers a change in an organization.

END OF EXAMINATION