



"Investing in Africa's Future"

COLLEGE OF BUSINESS, PEACE, LEADERSHIP AND GOVERNANCE

**COURSE CODE AND TITLE: NMIP100 INTRODUCTION TO INTELLECTUAL
PROPERTY**

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DURATION: 3 HOURS

INSTRUCTIONS TO CANDIDATES

Answer **FOUR** questions **ONLY** in this Question paper.

Answer **One** question from Section A and **Three** Questions from Section B.

Start each question on a new page in your answer booklet

INFORMATION TO CANDIDATES

Each question carries 25 Marks

Total possible mark is 100 Marks.

Credit is given for neat, well written and lucid work.

Marks for each question are shown in brackets.

SECTION A.

QUESTION 1.

Make a clear distinction between the following terms:

- a. Property Rights and Intellectual Property Rights. (5 marks)
- b. Moral rights and legal rights. (5 marks)
- c. Patent and trade secret. (5 marks)
- d. Industrial Designs and Trademarks. (5 marks)
- e. Infringement of an IP right and Licensing of an IP right. (5 marks)

SECTION B

Answer any **Three** questions from this section.

QUESTION 2.

- (a) What is a patent? (5 Marks)
- (b) State the types of works protected by patents. (5 Marks)
- (c) Explain the duration of a patent and justify it. (5 Marks)
- (d) Under what conditions may one use a patent's work without infringing the rights of the patent owner? (5 Marks)
- (e) Using concrete examples make a clear distinction between a patent and an industrial design. (5Marks)

QUESTION 3.

- (a) Explain the difference between copyright and trademarks (5 Marks)
- (b) Which types of works are protected by copyright? (5 Marks)
- (c) Explain the duration of copyright protection and justify it. (5 Marks)
- (d) Under what conditions can one use a work protected by copyright without infringing the rights of the copyright owner? (5 Marks)
- (e) What is the difference between copyright and related rights? (5 Marks)

QUESTION 4

- (a) What is a trademark? (5 Marks)
- (b) Using concrete examples show the various forms that trademarks may take. (5 Marks)

- (c) Paul opened a restaurant called “Cow Boys” and a few meters from there Melissa opened a hair salon called “Cow Girls”. Was there trademark violation? **(5 Marks)**
- (d) What is the difference between a trademark and a service mark? **(5 Marks)**
- (e) Under what conditions can authorities deny a person or an organization the use of a trademark? **(5 Marks)**

QUESTION 5

- (a) What is a Geographical Indication? **(5 Marks)**
- (b) Is Mazoe Orange a trademark or a geographical indication? **(5 Marks)**
- (c) What is the difference between a trademark and an appellation of origin **(5 Marks)**
- (d) For a company called Mutare Garments manufacturers does “Mutare” points to a Geographical Indication, a trademark or an appellation of origin? **(5 Marks)**
- (e) Using concrete examples explain challenges linked to the protection of some Geographical Indications. **(5 Marks)**

QUESTION 6

Explain in detail the criteria that should be fulfilled for the grant of the following Intellectual property rights?

- (a) Patent **(5 Marks)**
- (b) Geographical indication **(5 Marks)**
- (c) Trademark **(5 Marks)**
- (d) Copyright and related rights **(5 Marks)**
- (e) Industrial design **(5 Marks)**
- (f) Trade Secrets

QUESTION 7

Discuss the assertion Intellectual Property protection and promotion should be banned. **(25 Marks)**

QUESTION 8

Discuss the challenges related to the protection of intellectual property rights in works generated through Artificial Intelligence (AI). **(25 Marks)**

End of paper