

Name:	
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2018

Course: Law of Technology Transfer	CC:LLBL662
Semester: XI	
Programme: B.TECH.(CSE), LL.B. (Hons.) Cyber Laws 2013	
Time: 03 hrs.	Max. Marks: 100
Instructions:	

SECTION A

S. No.		Marks	CO
Q 1	Differentiate between Vertical and Horizontal Technology Transfer?	2	CO 1
Q 2	Explain Cross Licensing.	2	CO 1
Q 3	Define Technology Transfer.	2	CO 1
Q 4	State any four issues of Intellectual Property Licensing Agreement in terms of Competition Law	2	CO 2
Q 5	Technology Transfer under the TRIPS Agreement.	2	CO 2

SECTION B

Q 6	Explain the key steps to be adopted while preparing before as well as during Technology Negotiation process.	10	CO 3
Q 7	Does patent protection help or hinder technology transfer? Explain your answer in detail.	10	CO 2

SECTION-C

Q 8	Describe elaborately the sequential steps involved in the Technology commercialization process, with suitable examples.	10	CO 3
Q 9	Does competition law apply to the obtainment or grant and transfer or assignment of intellectual property rights? Which authorities are responsible for the application of competition law to intellectual property rights in India? What enforcement powers do they have? Discuss with the help of relevant case law.	10	CO 2 CO 5

SECTION-D

Q 10	Discuss the role of Universities in Technology Transfer process? Answer the following questions : <ol style="list-style-type: none"> a. Is the engagement of educational institutions in technology transfer central to their primary missions of education, research and public service? b. How do universities provide incentives to companies to develop university Technologies into commercial products? 	15	CO 5
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Q 11	Discuss the role of Technology Transfer Officers as per the Organization for economic co-operation and development (OECD). How do technology transfer officers gain the experience and skills necessary to do their jobs effectively?	15	CO 4
Q 12	<p>Dr. Humphries, a freelance chemical consultant with an extensive knowledge of the mineral processing art, discovered a process for utilizing a previously known chemical reaction for the purpose of reducing sulfur dioxide emissions during the refining of copper sulfide minerals. He assigned his rights to the invention to a newly formed Ocker Limited, in exchange for a parcel of shares in the company. Ocker agreed, in a separate agreement, to repurchase the shares for Rs. 10,000 in two years time if Dr. Humphries wished to relinquish them at the time. Ocker filed patent applications covering the invention in the countries where Ocker considered the process most likely to be used. These countries also granted trade mark protection for CuprOz®. which was the name used when referring to the process.</p> <p>Mr. McKenzie, the Managing Director of Ocker, met Dr. Washington at a recent Conference of the Licensing Executives Society during a visit to the Zye State and mentioned to him the work done by Dr. Humphries. Dr. Washington expressed interest in the invention and mentioned that he was Licensing Director for Sam Inc. an American copper producer with about 20% of the Zye market. He asked Mr. McKenzie to let him have further details of the process. Following an exchange of facsimile messages, the parties ascertained that, it was in fact mutually more convenient to meet in Town and, in view of the time constraints, parties proposed the following agenda:</p> <ol style="list-style-type: none"> a. Review of the merits of the CuprOz, process. b. The possibility of the parties entering into a license agreement and the terms thereof, including: (a) Definition of what is to be licensed; (b) Whether exclusive/non-exclusive, with/without sub-license rights, territory to be covered; and (c) Continuous technical assistance by Ocker c. If mutually agreeable terms can be reached, the financial arrangements which will apply, including: (a) Form and timing of payments, e.g. • Down payment and royalty; • Fully paid-up license; and (b) Other relevant financial consideration. <p>On the basis of the above, draft the license agreement for McKenzie and Dr. Washington.</p>	20	CO 3

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SECTION A

S. No.		Marks	CO
Q 1	Define Technology commercialization.	2	CO 1
Q 2	What is Vertical Technology Transfer?	2	CO 1
Q 3	What do you mean by Technology Outsourcing	2	CO 1
Q 4	What are the three components of Technology Transfer?	2	CO 1
Q 5	List out two obligations of a licensee in Technology Transfer.	2	CO 2

SECTION B

Q 6	Whether Competition law is applied to Intellectual Property Licensing? Discuss the issues relating to Standard Essential Patents with the help of relevant cases.	10	CO 2
Q 7	Discuss the objectives and scope of technology transfer in the international context.	10	CO 4

SECTION-C

Q 8	Explain the challenges in Technology transfer Agreements. What are the possible ways of managing these agreements	10	CO 3
Q 9	Explain the various negotiating techniques that are widely adopted in preparing Technology transfer process.	10	CO 3

SECTION-D

Q 10	Springle Technologies is attempting to license a new technology they have created which enhances the experience of motion gaming, by providing vibrating feedback to the player. The gamer wears a hand shaped device and plays various games on motion gaming consoles (such as Microsoft Kinect) and the device vibrates each time when say, the player hit a ball with his racket on the screen or delivers a punch to the opponent on the screen, giving the human player a realistic experience. While Mick & Toytoy Company is looking for such kind of technology and started negotiation process with Springle Technolgies.	20	CO 3
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	On the basis of the above, draft the license agreement for Springle Technologies and Mick & Toytoy Company		
Q 11	Discuss the process of University- Industry Technology Transfer. Explain the importance and process under the BAYH DOLE Act ? How far Indian Universities provide incentives to companies to develop university Technologies into commercial products?	15	CO 5
Q 12	Explain the approach of Organization for economic co-operation and development (OECD) in the role performed by Technology Transfer Officers (TTO). Discuss the mechanism through which TTO is moving from a passive to an active role in innovation.	15	CO 4