

LL. M. SEM-II (2015 Course) CBCS : SUMMER - 2019
SUBJECT: c) INTELLECTUAL PROPERTY LAW GROUP:
LAW RELATING TO TRADEMARKS

Day : Saturday
Date : 18/05/2019

Time : 10.00 AM TO 01.00 PM
Max. Marks : 60

S-2019-1817

N.B.:

- 1) Attempt **ANY FOUR** questions.
 - 2) All questions carry **EQUAL** marks.
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- Q.1** "A trademark is a visual symbol in the form of a word, a device, or a label applied to articles of commerce with a view to indicate to the purchasing public that they are goods manufactured or otherwise dealt in by a particular person as distinguished from similar goods manufactured or dealt in other persons" Comment and Discuss the characteristics & functions of trademark.
- Q.2** Discuss the salient features of the Madrid Agreement relating to the trademark.
- Q.3** Discuss the historical development of trademark laws in India & differentiate forms of protecting trademarks and goodwill.
- Q.4** "Property in a trademark which is only proposed to be used in relation to some goods can be obtained by registration of the mark under the Trademark Act,1999." Discuss process and grounds of registration of trademark.
- Q.5** Define "infringement" Discuss the different use of registered trademark which is not constituting infringement.
- Q.6** "The object of passing off law is to protect the goodwill and reputation of a business from encroachment by dishonest competitors" Comment and discuss the modern formulation of the law of passing off.
- Q.7** "The internet and modern means of electronic communication has made it possible to infringe the intellectual property rights in cyberspace" Discuss the different crimes relating to infringement of intellectual property and remedies available under the Trademark Act and Information Technology(Amendment) Act 2008.
- Q.8** Write a detail note on **ANY TWO** of the following :
- a) Philosophy of distinctive character
 - b) Deceptive similarity
 - c) Types of distinctiveness

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