

**Diploma in Intellectual Property Law (D.I.P.L.)(2015 Course) :
SUMMER - 2019**

SUBJECT : LAW OF TRADEMARKS & INDUSTRIAL DESIGNS

Day : Tuesday
Date : 07/05/2019

Time : 02.00 PM TO 05.00 PM
Max. Marks : 80

S-2019-1934

N.B.:

- 1) Attempt ANY SIX Questions including Q No. 1 is **COMPULSORY**.
- 2) Q. No. 1 carries 20 marks and other questions carry 12 marks each

Q.1 Write Short Notes on any **FOUR** :-

- a) TRIPS and Trademark
- b) S. 2(d) of Designs Act, 2000
- c) Difference between Mark and Trademark
- d) Novelty and Originality under Designs
- e) Collective Trademark
- f) Overlapping of Copyright and Designs Law in India

Q.2 What are the essential elements of a Trademark?

Q.3 How to determine the question of identical similarity and deceptive similarity of two marks? Explain with the help of relevant case laws.

Q.4 Elaborate the various civil and criminal remedies available for infringement of Trademark in India.

Q.5 “A man is not to sell his own goods under the pretence that they are the goods of another man.” Comment.

Q.6 Discuss the process for the registration of a Trademark.

Q.7 Critically evaluate the conditions for the registerable design.

Q.8 Infringement of a copyright in design is termed as ‘Piracy of a registered design’. Comment.

Q.9 Discuss the rights and obligations of a Trademark holder.

Q.10 Write a detailed note on the “Doctrine of Honest and Concurrent User”.

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