

Diploma in Intellectual Property Law (D.I.P.L.) (Old Course) :
SUMMER - 2019
SUBJECT: LAW RELATING TO TRADE MARKS AND INDUSTRIAL DESIGN

Day : Tuesday
Date : 07/05/2019

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

S-2019-1899

N.B.:

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

-
- Q.1** Write a Short Notes on **ANY FOUR** of the following :
- a) Word mark
 - b) Distinctiveness, distinctive character and capable of distinguishing
 - c) Improper/illegal registration
 - d) Ghost marks
 - e) Passing off and Misrepresentation connection
 - f) Unfair trading and trademark protection
- Q.2** "A registered trade mark can be protected against unauthorized use by others by an action for infringement" Discuss the concept of Trademark and What is good trademark for registration.
- Q.3** "Where a design is functional, but it also contains features of shape that appeal to the eye in addition to or supplementary to the function, it may be registrable." Discuss and enumerate the provisions relating to registration of design.
- Q.4** Write a detail note on 'Grounds for rectification'.
- Q.5** Discuss the protection of trade mark through international registration with the reference of section 36A-36G of the Trade Mark Act, 1999..
- Q.6** Define "Word marks". Elaborate the different types of trademarks which are available under the Trademark Act, 1999.
- Q.7** Elaborate the basic principles of registration of trademark under the Trademark Act, 1999.
- Q.8** "When a person applies to goods a trademark belonging to another person without the assent of the proprietor of that mark he is deemed to falsely apply the mark." Discuss in detail the provisions relating to 'falsely apply a trademark' and penalties for it.
- Q.9** Define "Passing Off" Discuss the differences between 'Passing off' and 'infringement' under the Trademark Act, 1999.
- Q.10** Write a detail note on **ANY TWO** of the following :
- a) Aim and objectives of the Paris Convention
 - b) Important provisions of Hague Agreement, 1960
 - c) Lacarno Agreement and Trademark

* * * *