

S.D.E.
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: 10.00 AM TO 01.00 PM
Max. Marks: 80

S-2019-4836

N.B.:

- 1) Attempt ANY SIX questions including Q. No. 1 which is **COMPULSORY**.
- 2) Q. No. 1 carries **20** marks and all other remaining questions carry **12** Marks.

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- Q.1** Write Short Notes on any **FOUR**:-
- a) Passing Off
 - b) Suggestive Marks
 - c) Role of Registrar of Trademarks
 - d) Phishing and Infringement of Trademark
 - e) Definition of Designs
 - f) Designs which are not registerable
- Q.2** Discuss in detail the different types of Trademarks. Also discuss the functions of Trademarks.
- Q.3** Critically Evaluate the procedure for registration of Trademarks.
- Q.4** A Trademark objection can take place under Absolute and Relative grounds of refusal. Comment.
- Q.5** What are the remedies against infringement of a Trademark?
- Q.6** The ultimate judge of similarity is the consumer, who would be misled into distinguishing between two marks and hence failing to compare the two. Discuss with relevant case laws.
- Q.7** Differentiate between an “article and a “design” according to the Designs Act, 2000. Also mention the rights of a Design holder.
- Q.8** Critically Evaluate the provisions of Assignment and Licensing in Trademark.
- Q.9** Elaborate the provisions of TRIPS Agreement with regards to designs.
- Q.10** Write a detailed note on “Honest and Concurrent Use”.

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