

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

**S-2019-4852**

**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.

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- Q.1** Write a Short Notes on **ANY FOUR** of the following :
- a) Meaning of 'trademark' and 'goodwill'
  - b) Registrar a tribunal
  - c) Marks not registrable
  - d) Piracy of registered design
  - e) Collective Marks
  - f) Forms of injunction
- Q.2** "The function of a service mark in relation to services is similar to that of a trademark in relation to goods" Discuss and elaborate concept of trademark with recent cases laws.
- Q.3** "An Application for registration of a design should be for a new or original design not previously published in India or in any other country" Discuss and explain the aim and objectives of the Design Act, 2000.
- Q.4** "The international registration of a trademark at the international Bureau shall be for a period of ten years and it may be renewed for a further period of ten years from the date of expiry of the preceding period" Comment & Discuss the protection of trade mark through international registration with the reference of section 36A-36G of the Trade Mark Act, 1999..
- Q.5** Define "Similar marks" and "Deceptive similar". Elaborate the different types of trademarks which are available under the Trademark Act, 1999.
- Q.6** Explain the difference between "trademark" and "design" with reference to the Industrial Design Act,2000 and the Trademark Act,1999.
- Q.7** Discuss the basic principles of registration of trademark under the Trademark Act, 1999.
- Q.8** Define "Infringement" Discuss the provisions relating to uses of registered trademark which are likely to cause confusion or likely to have an association with the registered mark also constitute infringement.
- Q.9** Discuss the legal provisions relating to "Assignment and transmission" under the Trademark Act, 1999.
- Q.10** Write a detail note on **ANY TWO** of the following :
- a) Important provisions of the Paris Convention
  - b) Aim and objectives of Hague Agreement,1960
  - c) Lacarno Agreement and Trademark