

**DIPLOMA IN INTELLECTUAL PROPERTY LAW (D.I.P.L.)(2015
COURSE) : SUMMER - 2018**

SUBJECT: LAW OF TRADEMARKS AND INDUSTRIAL DESIGNS

Day : **Tuesday**

S-2018-1564

Time : **02.30 PM TO 05.30 PM**

Date : **08/05/2018**

Max. Marks : 80.

N.B.:

- 1) Attempt any **SIX** questions in all including Q. No. 1 which is **COMPULSORY**.
 - 2) Q. No. 1 carry 20 marks and all other question carries 12 marks each.
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Q.1 Write short notes on:

- a) Functions of Trademark
- b) Good Trademarks
- c) Deceptive similarity
- d) Privacy of Design
- e) Passing off
- f) Paris convention on trademark

Q.2 "A trademark does not protect ideas, except if the idea has been materialized and fulfills the legal requirement that trademark protection demands." Explain the scope and need of a trademark legislation in India with reference to the Trade Marks Act, 1999.

Q.3 "Trademark may be registered or unregistered. The registration offers prima facie evidence of ownership of trademark." State and explain the importance of registration.

Q.4 Write a detailed note on (a) Honest and Concurrent user (b) Service Mark with relevant case law.

Q.5 Discuss the procedure for assignment and licensing of a trademark.

Q.6 What is infringement of a design? What are the remedies available to a user in case of a registered design?

Q.7 "Industrial designs are what make an article attractive and appealing; hence, they add to the commercial value of a product and increase its marketability." Comment and traced the history and need of Industrial Design Act.

Q.8 Write a note on:

- a) Legal effect and use of Locarno classification
- b) The Hague Agreement concerning the international deposit of industrial designs.

Q.9 Explain in detail the concept of infringement of trademark and defenses available in an infringement action.

Q.10 Explain the impact of TRIPS agreement and development of law relating to trademark and industrial design in India.

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