

**LL. M. SEM-II (2015 COURSE) CBCS : WINTER - 2017**

**SUBJECT : c) INTELLECTUAL PROPERTY LAW GROUP : LAW RELATING TO TRADEMARKS**

Day : **Saturday**  
Date : **18/11/2017**

**W-2017-1314**

Time : **10.00 AM TO 01.00 PM**  
Max. Marks : 60

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**N.B.:**

- 1) Attempt **ANY FOUR** questions.
  - 2) All questions carry **EQUAL** marks.
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**Q.1** Write short notes on **ANY THREE** of the following:

- a) Registered and Unregistered Trademark
- b) Function of Trademark
- c) Trademark registry
- d) Kinds of reliefs in suit
- e) Confidential information and Trade Secret
- f) Grounds for refusal of registration

**Q.2** “Trademark is a visuable symbol or sign in the form of a word, a device, or a label and a means of identification which enables traders to make their goods or services readily distinguishable form similar goods or services supplied by others”. Discuss and evaluate the various forms of trademarks.

**Q.3** “An Anton Piller order is a Court order which provides for the right to search premises and search evidence without prior warning”. Discuss with recent cases.

**Q.4** “Trademark is a different from design, a design is necessarily part and parcel of the manufacture while a trademark is not necessarily so”. Comment and discuss the important objectives of the Madrid Convention.

**Q.5** Write a detailed note on:

- a) Classical cybersquatting
- b) Typographical cybersquatting

**Q.6** Discuss the provisions regarding assignment and transmissions under the Indian Trademark Act, 1999.

**Q.7** “The Domain Name System (DNS) is the System of global navigation within the internet”. Comment and discuss the issues of domain name and cybersquatting and its remedies under the Trademark Law.

**Q.8** Write a detailed note on ‘Philosophy of distinctive character’ of the following **(ANY TWO):**

- a) German theory
- b) Second theory
- c) Cynics theory

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