

**DIPLOMA IN INTELLECTUAL PROPERTY LAW**  
**(D.I.P.L.)(2015 COURSE) : WINTER - 2017**  
**SUBJECT: LAW OF TRADEMARKS AND INDUSTRIAL DESIGNS**

Day : **Thursday**  
Date : **30/11/2017**

Time : **02.30 PM TO 05.30 PM**  
Max. Marks : 80.

**W-2017-1427**

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**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) Associated trademark
- b) Honest and concurrent user
- c) Distinctive mark
- d) Cancellation of registration of design
- e) Infringement of trademark
- f) Locarno agreement

**Q.2** “The main function of a trademark is to enable consumer to identify a product of a particular company so as to distinguish it from other identical or similar products provided by competitors.” Elaborate the concept of trademark and its functions.

**Q.3** “In case of non-registration of trademark the use of the trademark has to established the prior use and passing off.” Elucidate the importance of registration of trademark and its procedure.

**Q.4** State and explain the concept of renewal and restoration of trademark under the Trademarks Act, 1999.

**Q.5** Discuss the absolute ground of refusal and relative ground of refusal of trade mark.

**Q.6** “The object of design registration is to see that the originator of a profitable design is not deprived of his reward by others applying it to their goods without his permission.” Discuss.

**Q.7** “The design may consist of three-dimensional features, such as the shape or surface of an article, or of two-dimensional features, such as patterns, lines or color.” Define the term design and elaborate the salient features of Design Act 2000.

**Q.8** Write a note on:

- a) Piracy of designs
- b) Copyright in design

**Q.9** Write an essay on infringement and remedies for infringement of copyright.

**Q.10** Explain the TRIPS provisions with respect to industrial designs. Cite international case laws.