

DIPLOMA IN INTELLECTUAL PROPERTY LAW (D.I.P.L.)
(OLD COURSE) : WINTER - 2017
SUBJECT : LAW RELATING TO TRADE MARKS & INDUSTRIAL DESIGN

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

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

W-2017-1396

N.B.

- 1) Attempt any **SIX** questions including **Q.1** which is **COMPULSORY**.
- 2) Q.1 carries 20 marks and other questions carry 12 marks each.

Q.1 Write short notes on **ANY FOUR** of the following:

- a) Chemical names and trade marks
- b) Prior use in design
- c) Provisions of service mark under GATS
- d) Piracy
- e) Cyber squatting
- f) Common law trade marks

Q.2 Define “industrial design” and narrate in detail important provisions relating to it under the Designs Act, 2000.

Q.3 Explain the Paris Convention for protection of industrial property with respect to trade marks. Enumerate also the provision for registration of a foreign mark in India.

Q.4 “The two important roles played by trademark are sources of manufacture and quality.” Explain with significant and relevant illustration.

Q.5 Elucidate the scope of trade mark in online medium.

Q.6 What are the remedies available in India in cases of infringement of unregistered trade marks?

Q.7 “The procedure for registration of a design is comparatively simple when compared to procedure for registration of a patent or a trade mark.” Underline the rationale behind the statement along with the provisions for registration of a design.

Q.8 Narrate the provisions of TRIPS Agreement relating to trade marks and industrial designs.

Q.9 ““Passing off” is said to be a species of unfair trade competition.” Critically evaluate and enumerate the remedies available under the law.

Q.10 A proprietor of a business has applied for registration of symbol ‘OM’ as his trade mark. Decide upon the maintainability of his application with help of relevant legal provisions and landmark case laws.

* * *