

MASTER OF LAWS (LL.M.) (SEMESTER PATTERN) (CBCS - 2015 COURSE)
LL.M. Sem - II IPL :SUMMER- 2022
SUBJECT : LAW RELATING TO TRADEMARKS

Day : Saturday
Date : 16-07-2022

S-12639-2022

Time : 02:00 PM-04:30 PM
Max. Marks : 60

N.B.:

- 1) Attempt **ANY FOUR** questions.
 - 2) All questions carry **EQUAL** marks.
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- Q.1** "A Trademark is any sign that individualize the goods of a given enterprise and distinguishes them from the goods of its competitors." Elaborate the characteristics, forms and functions of trademark.
- Q.2** "The basic qualification for registrability of a mark is contained in the definition of trademark itself." Elaborate and discuss the registration procedure of trademark.
- Q.3** "A mark shall be deemed to be deceptively similar to another mark if it so nearly resembles that other mark as to be likely to deceive or cause confusion." Elaborate the concept of 'Distinctiveness' and 'Deceptive similarity' of a trademark.
- Q.4** Discuss the provisions related to 'Passing Off' and also explain the remedies available under the law.
- Q.5** "Cyber Squatting is registering, selling, or using a domain name with the intent of profiting from the goodwill of someone else's trademark." Elaborate the various forms of Cyber Squatting.
- Q.6** Explain the Madrid Convention for protection of industrial property with respect to trademark. State the provision for registration of a foreign mark in India.
- Q.7** Define "Infringement." Explain the forms of infringement under the Trademark Act, 1999.
- Q.8** Write a detail note on 'Philosophy of Distinctive Character'
(ANY TWO):
- A) German theory
 - B) Second Theory
 - C) Cynic Theory

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