

Subject : Law of Trademarks & Industrial Designs

Day : Thursday
Date : 24/11/2016

S.D.E.



Time : 10.00 AM TO 01.00 PM
Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt any **SIX** questions including **Q. No. 1** which is **COMPULSORY**.
 - 2) **Q. No. 1** carries **20** marks and all other questions carry **12** marks each.
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- Q.1** Write short notes on (Any **FOUR**)
- a) Collective Mark
 - b) Powers and functions of registrar under the trade marks Act, 1999
 - c) Appellate Board
 - d) Deceptive similarity
 - e) Service Mark
 - f) Honest and concurrent user
- Q.2** What is Trade Mark? Distinguish between Trade Mark and Property Mark.
- Q.3** When a person gets his trade mark registered under law, he acquires valuable rights by reason of such registration. Explain the procedure for registration of trade mark under the Trade Mark Law.
- Q.4** Registration give the registered proprietor of the trade mark the exclusive right to the use of the trade mark in relation to the goods or services in respect of which the trade mark is registered and to obtain relief in cases of infringement. Discuss the various remedies available to the proprietor for the infringement of trade mark.
- Q.5** Discuss the power and duties of controller under the Industrial Design Act, 2000.
- Q.6** Passing-off is said to be a species of unfair trade competition of actionable unfair trading by which one person through deception, attempts to obtain an economic benefit of the reputation which another has established for himself in a particular trade or business. Comment with the help of case law.
- Q.7** Explain the Definition of Design and Discuss the essential characteristic of Designs under the Designs Act, 2000.
- Q.8** The Industrial Design law vests certain rights in the proprietors of Registered Designs. Explain rights granted to Design holder.
- Q.9** Discuss the procedure for assignment and licensing of Trade Mark under the Trade Mark Act, 1999.
- Q.10** Who can apply for registration of Design? Explain the procedure for registration of Industrial Design.

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