



BALBO – 3216

B.A. LL.B. (Semester – IX) Examination, October 2016
TRADEMARK AND DESIGN LAW

Duration : 3 Hours

Total Marks : 75

Instructions : a) Answer **any eight** from Questions No. 1 to 12.
b) Q. No. 13 and 14 are **compulsory**.

- (8×8=64)**
1. Explain the concept of trademark. Examine the essentials and functions of a good trademark.
 2. Answer the following :
 - a) Intellectual Property Appellate Board
 - b) Trademarks registry.
 3. Discuss the idea of passing off and differentiate between passing off and deceptive similarity with the help of cases/examples.
 4. 'Use of registered trademark without consent of owner amounts infringement'. Discuss the term infringement and mention the remedies for infringement.
 5. Enumerate in detail the stages and procedure prescribed for the registration of trademark as per Trademark Act, 1999 as amended.
 6. 'Trademark being a property it can be transferred'. Critically examine the various methods of transfer of trademark from proprietor to any other person.
 7. Analyse the concept and essentials of a good design for registration.
 8. Mention in detail the rights in registered design and remedies for violation of such rights under the Designs Act, 2000.
 9. Critically analyse the procedure for obtaining a design and duration of design under the Designs Act, 2000 in India.
 10. Write a note on the following :
 - a) Piracy of registered design.
 - b) Functional aspects of a design.
 11. 'There is a link between Design and Artistic work'. Explain in detail this statement in the light of design and artistic work.

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12. Enumerate in detail the salient features of the Designs Act, 2000 in the present Indian Society.
13. Answer **any two** of the following with reason and authority : **(2x2.5=5)**
- a) Suggestive trademark.
 - b) Non-registrable trademark.
 - c) Certification mark.
14. Answer **any two** of the following with reason and authority : **(2x3=6)**
- a) Importance of a design.
 - b) Designs offices in India.
 - c) Significance of design – Consumers.