



9/4/18

BALBA – 1843

B.A. LL.B. (Semester – IX) Examination, April 2018
TRADEMARK AND DESIGN LAW

Duration : 3 Hours

Total Marks : 75

Instructions : a) Answer **any eight** from Questions No. 1 to 12. (8×8=64)
b) Q. No. 13 and 14 are **compulsory**.

1. Explain the objectives, salient features of a good trademark and examine the definition of mark and trademarks under the trademark legislation.
2. Answer the following :
 - a) Grounds of opposition of trademark.
 - b) Essentials of trademarks.
3. 'Registered trademark is protected by way of infringement'. Enumerate the idea of infringement and the modes of infringement with relevant cases.
4. Discuss the authorities set up and civil remedies applicable in case of infringement of registered trademark under Trademark Act, 1999.
5. State the stages for the registration of trademark and the requisites for registration of trademark as per Trademark Act, 1999.
6. 'Unregistered trademark is protected by way of passing off'. Analyze this statement and discuss the types of passing off with relevant cases.
7. Elaborate in detail the procedure laid down under the Designs Act, 2000 for obtaining a design in India.
8. Explain the concept of design. Explain the importance of design and mention non registrable design under Indian Designs Act, 2000.
9. 'There is a relation between copyright and design'. Critically examine this statement and highlight the similarities and dissimilarities between these two.
10. Write a note on the following :
 - a) Infringement of design.
 - b) Penalties for registered design as per Designs Act, 2000.
11. Enumerate the rights available to the registered owner of design and mention the authorities set up under the Designs Act, 2000.

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12. Elucidate the important features of a design and mention the articles prohibited from registration as design under Designs Act, 2000.
13. Answer **any two** of the following with reason and authority : (2×2.5=5)
- a) Who can apply for trademark ?
 - b) Duration and renewal of trademark.
 - c) Well known trademark.
14. Answer **any two** of the following with reason and authority : (2×3=6)
- a) Assignment of design.
 - b) Duration of design.
 - c) Cancellation of registered design.
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