

CDOE
DIPLOMA IN INTELLECTUAL PROPERTY LAW (CBCS-2018 COURSE)
D.I.P.L. : WINTER : 2024
SUBJECT: TRADEMARKS & INDUSTRIAL DESIGNS

Day : Saturday
Date : 14/12/2024

W-20206-2024

Time : 10:00 AM-01:00 PM
Max. Marks : 80

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.

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) International non-proprietary medicine
 - b) Novelty and originality
 - c) Certification trade marks
 - d) UDRP
 - e) Trade Mark Registry
 - f) Combination of designs
- Q.2** Define “industrial design” and narrate in detail important provisions relating to it under the Designs Act, 2000.
- Q.3** Trade mark legislation in India is said to be fully *TRIPS* compliant. Comment with a note on the important changes brought by the Trade Marks Act, 1999.
- Q.4** 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.5** “Trade mark is an intellectual property dealing with image and reputation; in fact it is goodwill in commercial sense.” Elucidate the functions of a trade mark.
- Q.6** Can a mechanical device or principle of construction in two-dimensional and three-dimensional form be registered as a design? Discuss citing appropriate reasons.
- Q.7** Narrate the importance of trade mark in international trade with relevant illustrations.
- Q.8** “No person shall be entitled to institute any proceedings to prevent or to recover damages for the infringement of an unregistered trade mark.” Explain the statement with exceptions.
- Q.9** Critically evaluate the cases of piracy of a registered design with the Twin Test of Fraudulent Imitation and Obvious Imitation.
- Q.10** “Passing off is said to be a species of unfair trade competition.” Examine the truth.