



III Semester LL.M. Examination, December 2012

LAW OF TRADEMARKS (Spl. Paper – 3)

Duration : 3 Hours

Max. Marks : 80

- Instructions:**
1. Answer **all** questions.
 2. Answer **one** from Part (a) and **one** from Part (b).
 3. Figures to the **right** indicate **marks**.

Q. No. 1. (a) Discuss the objectives of Trademark Law. Outline the functions of Trademark Law. Marks : 10

OR

Explain the concept of well-known Trademark. What are the tests for the determination of well-known Trademark ?

(b) What is collective mark ? Explain. Marks : 6

OR

When do we say a mark has acquired secondary meaning ? Explain.

Q. No. 2. (a) Discuss the absolute grounds for refusal of Registration of Trademark. Marks : 10

OR

Explain the powers and functions of appellate board.

(b) What is a Trademark ? Explain. Marks : 6

OR

Who is a registered proprietor ? Explain.

P.T.O.

0361



Q. No. 3. (a) Explain the procedure for filing Trademark application. Discuss various stages involved in granting Trademark.

Marks : 10

OR

Examine the provisions relating to assignment, transmission and renewal of Trademark under the Trademark Act.

(b) What is permitted use ? Explain.

Marks : 6

OR

How goods and services are classified ? Explain.

Q. No. 4. (a) What is Trademark infringement ? Discuss with leading cases outlining exceptions.

Marks : 10

OR

Explain the provisions of TRIPS agreement for the protection of Trademarks.

(b) What is passing-off ? Explain.

Marks : 6

OR

Distinguish between collective mark and certificate mark.

Q. No. 5. (a) Examine the objectives and provisions of Trademark Law Treaty for the protections of Trademarks.

Marks : 10

OR

Discuss the provisions of Madrid Agreement concerning International Registration of marks.

(b) Write a note on 'Offences by Companies' under Trademark Act.

Marks : 6

OR

Explain the basic principles of WTO on Trade Marks.