Third Semester LL.M. Examination, June 2013
LAW OF TRADEMARKS

Duration : 3 Hours   Max. Marks : 80

Instructions : 1. Answer **all** questions.
                  2. Answer **one** essay type and **one** short note from **each** Unit.
                  3. Figures to the **right** indicate **marks**.

Q. No. 1. (a) Explain the historical evolution of Trademark Law in India.   Marks : 10

            OR

            What is Trade Description ? Explain what constitutes false
            trade description.   Marks : 10

        (b) Write a note on well-known Trademarks.   Marks : 6

            OR

            Plaintiff and defendant are in the business of manufacturing
            cosmetic products. Plaintiff is using the Trademark 'Lakme'
            for its products. Defendant is seeking registration for the
            name 'Like-me'. Advise the Registrar.   Marks : 6

Q. No. 2. (a) Explain the powers and functions of Registrar of Trademarks.   Marks : 10

            OR

            Explain the relative grounds for refusal of Registration of
            Trademarks.   Marks : 10

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

            OR

            What is honest concurrent use ? Explain the legal
            implications.   Marks : 6

Q. No. 3. (a) Examine the provisions relating to assignment, transmission
            and renewal of Trademark under the Trademark Act.   Marks : 10

            OR

            Explain the impact of Registrar's opinion under Sec. 115(4)
            of Trademark Act for cognizance of offences under the Act.   Marks : 10

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(b) Write a note on Certification Marks. Marks :

OR

What do you mean by permitted use ? Marks : 6

Q. No. 4. (a) Examine the provisions relating to opposition proceedings as to the Registration of Trademarks. Marks : 10

OR

What is Rectification of Register ? Explain the circumstances under which Registrar can rectify or correct Register. Marks : 10

(b) Who is a Registered user ? Explain. Marks : 6

OR

Write a note on WIPO. Marks : 6

Q. No. 5. (a) Discuss the provisions of Madrid Agreement concerning International Registration of marks. Marks : 10

OR

Explain the provisions of NICE Agreement for classification of Goods and Services. Marks : 10

(b) Write note on Paris Convention for the protection of Trademarks. Marks : 6

OR

Distinguish between Service mark and Trade mark. Marks : 6

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