

**LL6003 – INTELLECTUAL PROPERTY LAW****COMPULSORY SEEN QUESTION FOR JULY 2014 RE-SIT EXAMINATION****This will be question one.**

“Comparative advertising shall be allowed only provided that it objectively compares the material, relevant, always verifiable, fairly chosen and representative features of competing goods and services...” (Art 3(a) of the *EC Directive on Comparative Advertising*, [1995] EIPR 429)

In the light of this statement, discuss critically the decisions of the courts in comparative advertising disputes involving s10(6) of the Trade Marks Act 1994.

**Please note that if you take a different examination (other than July 2014) there will be a different seen question that you must obtain in advance.**

**INSTRUCTIONS FOR PREPARING ANSWERS TO SEEN EXAMINATION QUESTIONS**

1. The answers which you prepare and research to answer the seen question must be your own work.
2. The following are examination offences:
  - Learning someone else's prepared answer to the seen examination question either wholly or in part;
  - Allowing someone else to use or copy your prepared answer to the seen examination question;
  - Allowing someone else to prepare your answer to the seen examination question and learning and reproducing their work at the examination;
  - Collaborating with another student in the completion of the answers to the seen question; and
  - Bringing into the examination room any document containing the case list for your prepared answer.