

**PARUL UNIVERSITY**  
**FACULTY OF LAW**  
**LL.M, Summer 2017 – 18 Examination**

Semester: 2

Subject Code: 17201180

Subject Name: **Business Aspects of IPR, Trade Mark, Trade Secrets  
and Geographical Indications**

Date: 08/05/2018

Time: 10:30AM TO 01:00PM

Total Marks: 60

**Instructions:**

1. All questions are compulsory.
2. Figures to the right indicate full marks.
3. Make suitable assumptions wherever necessary.
4. Start new question on new page.

**Q.1 Do as directed.****(15)**

(MCQ, True or False, Definitions, Explain terms) (1 marks each. All Compulsory)

1. Trade Marks Act is applicable for:
 

a) only for goods	b) Only for goods
c) for goods and services	d) none of these
2. A trade mark is a:
 

a) visual symbol or sign in the form of a word identification	b) a device or a label and a means of identification
c) Both a) and b)	d) none of these
3. Duration of registered trade mark is:
 

a) 5 years	b) 6 years
c) 8 years	d) 10 years
4. A good trade mark should be:
 

a) short , appealing to eyes	b) should be easy to recognize and remembered
c) only a)	d) both a) and b)
5. A mark shall not be registered as a trade mark if it comprises or contains scandalous or obscene matter. ( **State True or False**)
6. False trade description means a description which is untrue or misleading in a material respect as regards the goods or services to which it is applied. ( **State True or False**)
7. The Registrar may renew the registration of trade mark for a period of twenty years from the date of expiry of original registration. ( **State True or False**)
8. Geographical Indications can not be registered as a trade mark. ( **State True or False**)
9. The provisions of Geographical Indications of Goods Act, 1999 came in to effect on 15<sup>th</sup> September 2003. ( **State True or False**)
10. Section 3 of part II of TRIPS agreement deals with Geographical Indications. ( **State True or False**)
11. Define Geographical Indications.
12. Define Goods in accordance with Geographical Indications of Goods Act.
13. Define Producer in accordance with Geographical Indications of Goods Act.
14. Define Service in accordance with Trade Marks Act.
15. Define Trade Mark in accordance with Trade Marks Act.

**Q.2 A) Write short notes on. (Each of three mark)****(15)**

1. Object of Trade Marks Act.
2. Well-known trade mark.
3. Permitted Use.
4. Registration of trade mark.
5. Opposition to Registration of trade mark.

**Q.3 A) Explain the Procedure of Registration of Trade Marks. (08)**

**OR**

**A) Explain Grounds of Refusal of registration of trade marks. (08)**

**B) Explain the salient features of Geographical Indications of Goods Act, 1999. (07)**

**OR**

**B) Explain the procedure of Registration of Geographical Indications. (07)**

**Q.4 A) Discuss the case study on Basmati Rice case. (07)**

**B) Answer any four of the following (short questions with option) (Each of two mark) (08)**

1. What are the Remedies for Infringement of trade marks?
2. Write down Prohibition of registration of certain Geographical Indications.
3. Explain Infringement of registered Geographical Indications.
4. Explain assignment of Registered Trade Mark.
5. Write down Infringement of Trade Mark.