

PARUL UNIVERSITY**FACULTY OF LAW****LL.M. (Intellectual Property Law) Summer 2018 – 19 Examination****Semester: 2****Date: 09/04/2019****Subject Code: 17201180****Time: 10:30am to 1:00pm****Subject Name: Business Aspects of IPR, Trade Mark, Trade Secrets
and Geographical Indications****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. (1 marks each. All Compulsory)

1. IPAB stands for Intellectual Property Appellate Board. **(True or False)** (15)
2. The trademark is initially registered for a period of 20 years. **(True or False)**
3. After advertisement of a trademark in the Trade Marks Journal, (which is available online at the website of Office of Registrar of Trademarks) an opposition challenging the application for registration can be filed by any person within a period of 4 months. **(True or False)**
4. For the purpose of classification of goods and services for registration of trademarks, India follows the International Classification of Goods and Services (Nice Classification) published by WIPO. **(True or False)**
5. For the purpose of classification of the figurative elements of marks, India follows the Vienna Agreement. **(True or False)**
6. A mark shall not be registered as a trade mark if it comprises or contains scandalous or obscene matter. **(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. **(True or False)**
8. Geographical Indications cannot be registered as a trade mark. **(True or False)**
9. Section 3 of part II of TRIPS agreement deals with Geographical Indications. **(True or False)**
10. The provisions of Geographical Indications of Goods Act, 1999 came in to effect on 15 September 2003. **(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 certification trade mark in accordance with Trade Marks Act.
15. Define Trade Mark.

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

1. Object of Trade Marks Act.
2. Well-known trade mark.
3. Registered users.
4. Deceptive similarity.
5. Anti-Dilution.

Q.3 A) Enumerate the legal remedies against infringement and/or Passing off under Trademark act. (08)**OR****A) Discuss the Procedure for Registration of Trademark in India. (08)****B) Enumerate grounds for refusal of registrations by trademark registration office. (07)****OR****B) Discuss registration of Geographical Indications and protection of Geographical Indications in India. (07)**

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

(07)

B) Answer the following short questions [Each of two mark] (Any Four)

(08)

1. Explain the salient features of Geographical Indications of Goods Act, 1999.
2. Explain Collective Marks.
3. What are advantages of Registering a Trademark?
4. Explain Distinctive signs.
5. Explain Domain Name Registration in India.