

LL.B. (3-Year Course) Odd Semester Exam., 2016

LAW

(5th Semester)

Course No. : LLB(3)-501

(Trademarks and Design)

Full Marks : 75

Pass Marks : 34

Time : 3 hours

*The figures in the margin indicate full marks
for the questions*

Answer *any five* questions

1. What is mark? Explain the mark which can be protected as trademark under the Trademark Act. 15
2. "In an era of competitive economies, the goods are traded by their names which may indicate their quality and identity distinct from others." In the light of this statement, discuss the object and basic feature of trademark. 15
3. Discuss the various rights conferred by registration of trademark. What are the consequences of non-registration? 15

4. Explain the doctrine of honest current user of trademark with the help of case laws. 15
5. Explain passing off and its essential ingredients with the help of case laws. 15
6. Discuss various remedies available for infringement of trademark in India. 15
7. What do you mean by well-known trademark? Discuss the provisions for protection of well-known trademark. 15
8. Discuss the provisions regarding duration, renewal, removal and restoration of registration of trademark. 15
9. Explain the doctrine of deceptive similarity with the help of case laws. 15
10. Write notes on any *three* of the following : 5×3=15
 - (a) Quality of a good trademark
 - (b) Criminal remedies for infringement
 - (c) Property mark
 - (d) Grounds for refusal of trademark registration
 - (e) Standard of proof in passing off action
