



BALBO – 3718

B.A.LL.B. (Semester – IX) Examination, October 2018
TRADEMARK AND DESIGN LAW

Duration : 3 Hours

Max. Marks : 75

Instructions : 1) Answer any eight questions from Q.No. 1 to 12.
2) Question No. 13 and 14 are compulsory.

1. What is a good trademark ? (8×8=64)
2. Trademark distinctiveness is an important concept in the law governing trademarks. Explain.
3. What are absolute and relative grounds for refusal of registration of trademarks ?
4. Define the term Passing Off. What are the defences available in Passing Off ?
5. What is deceptive similarity ? What are the factors taken into consideration to prove deceptive similarity ?
6. What are Non-Conventional trademarks ?
7. What is infringement in trademark ?
8. What is the procedure for registration of trademark ?
9. What is the procedure for registration of a design ?
10. What is the law for passing off in design ?
11. What is the inter-relationship between copyright and designs ? Can one have both copyrights and designs at the same time ?
12. What are conditions required to register a design ?
13. Write short notes (any two) : (2.5×2=5)
 - a) Penalties and Offences under Trademark Act.
 - b) Trade Dress.
 - c) Original in Design Act.
14. Write short notes (any two) : (3×2=6)
 - a. Prohibition on Registration of Design.
 - b. Objection to a design sought to be registered.
 - c. Anticipation by publication of Design.