

BA LLB
TENTH SEMESTER
COPYRIGHT, PATENT, TRADEMARK & DESIGN
BLB - 1003 OP₅
(USE OMR FOR OBJECTIVE PART)

**SET
A**

Duration : 3 hrs.

Full Marks : 80

(Objective)

Time : 30 min.

Marks : 30

Choose the correct answer from the following:

1×10=10

1. A mark that is inherently distinctive and requires no proof of secondary meaning is known as-
 - a. Generic mark
 - b. Descriptive mark
 - c. Suggestive mark
 - d. Arbitrary or fanciful mark
2. Yakchurpi, a naturally fermented dairy product, has been granted a GI tag from which of the following regions?
 - a. Arunachal Pradesh
 - b. Sikkim
 - c. Ladakh
 - d. Meghalaya
3. Which of the following is a key characteristic of a well-known trademark?
 - a. Limited geographic scope.
 - b. High level of public recognition.
 - c. Short term protection
 - d. Restricted usage
4. What does the ® symbol signify when used with a mark?
 - a. The mark is registered
 - b. The mark is a registered trademark in the United States
 - c. The mark is a trademark, but not necessarily registered.
 - d. The mark is pending registration
5. Chubitchi, a traditional alcoholic beverage, is associated with which state in Northeast India and has applied for a Geographical Indication tag?
 - a. Assam
 - b. Manipur
 - c. Meghalaya
 - d. Tripura
6. A "generic" term cannot be protected as a trademark because it:
 - a. Is too visually complex.
 - b. Is too commonly used to describe an entire class of goods or services
 - c. Has already been registered by another party.
 - d. Is considered too suggestive
7. Kashmir Kesar, renowned for its high quality, is a Geographical Indication from which region in India?
 - a. Himachal Pradesh
 - b. Uttarakhand
 - c. Jammu and Kashmir
 - d. Sikkim
8. The primary purpose of trademark law is to-
 - a. Promote unfair competition.
 - b. Protect consumers from confusion and deception
 - c. Restrict innovation and creativity
 - d. Generate revenue for the government

9. Chanderi, famous for its unique weave and translucent texture, is a Geographical Indication associated with which state?
- | | |
|------------------|-------------------|
| a. Uttar Pradesh | b. Madhya Pradesh |
| c. Rajasthan | d. Gujarat |
10. When assessing if two trademarks are phonetically similar, which of the following is the most crucial factor?
- | | |
|---|--|
| a. The visual appearance of the trademarks. | b. How the trademarks sound when spoken. |
| c. The length of the words in the trademarks. | d. The colors used in the trademarks |

Answer the following: (Use descriptive answer sheet)

2×10=20

1. Name one ground for refusing the registration of a design.
2. What is the initial period of registration for a design in India?
3. What is the significance of the "distinctiveness" of a trademark?
4. Can a single color be registered as a trademark in India? If so, under what condition?
5. What does the acronym AGMARK stand for, and what type of products does it certify?
6. What are the remedies available for infringement of a registered design under the Design Act, 2000?
7. According to the Design Act, 2000, what constitutes a "design"?
8. Can a single initial or abbreviation of a famous person's name, like "SRK," be registered as a trademark? What factors would be considered?
9. Is it compulsory to register a trademark? give reason for your answer
10. Mention two main function of WIPO.

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(Descriptive)

Time : 2 hrs. 30 min.

Marks : 50

[Answer the following questions]

1. a. Elaborate the key provisions of the Trademarks Act, 1999 concerning the registration of trademarks and highlight the grounds for refusal of registration. 5+5=10

Or

b. Write short note on Paris Convention
2. a. Explain the process of trademark registration in India, outlining the key stages involved from application filing to grant. Further, discuss the essential for a trademark to be registrable and effective. 5+5=10

Or

b. Define infringement of trademark and discuss types of infringement.
3. a. What are the various certified marks found in India. How do trademarks and certified marks contribute to brand building and brand loyalty. 5+5=10

Or

b. How does the trademarking of religious symbols contribute to or prevent cultural appropriation?
4. a. Introduce the concept of Geographical Indications (GIs). Discuss their origin and explain the fundamental principles underlying their protection 5+5=10

Or

b. Discuss the potential for registration of Geographical Indications from Northeast India. Identify specific categories of products that have received benefit from GI protection.
5. a. Analyze the role of Geographical Indications in protecting traditional knowledge and cultural heritage. Provide examples to support your argument 5+5=10

Or

b. Explain the significance of Geographical Indication (GI) status, using the specific example of "Lakadong" turmeric from Meghalaya

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