

EXAMINATION FOR REGISTRATION OF TRADE MARKS AGENTS  
TRADE MARKS LAW AND PRACTICE

Date: 3<sup>rd</sup> December, 2001

100 Marks

Time: 11.00 a.m. to 2.00 p.m. ( 3 hrs)

Q.1 Please explain any five of the following concepts under the Trade Marks Act, 1999.

- a) Trade Mark
- b) Service mark
- c) Multi class application
- d) Collective mark
- e) Wellknown mark
- f) Divisional application
- g) Earlier mark

OR

-20 marks

What do you understand by absolute ground of refusal of registration under the Trade Marks Act, 1999? Please explain with examples.

- 20 Marks

Q.2 What is the duration of registration of trade mark? What is the procedure for renewal and restoration of a registered trade mark? What changes have been effected in respect of renewal under the Trade Marks Act, 1999?

- 15 Marks

Q.3 What is the effect of registration under the Trade & Merchandise Marks Act, 1958? What are the rights conferred by registration? When is the registered trade mark infringed? What is the relief in a suit for infringement or for passing off? What amounts to an infringement of an registered trade mark under the Trade Marks Act, 1999?

- 15 Marks

Q.4 What is the Registered User under the Trade and Merchandise Marks Act, 1958? What is the procedure to process an application for a registered user agreement? What are the changes in respect of registered user under the Trade Marks Act, 1999?

- 15 Marks

Q.5 What is the certification trade mark? How is an application for registration of a certification mark dealt by the Registrar? What changes are made in respect of certification mark under the Trade Mark Act, 1999?

- 15 Marks

Q.6 Discuss the main feature of the Trade Marks Act, 1999 with special focus on new elements under the Act

- 20 Marks