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

Date: 3rd December, 2001
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

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?

-20 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 a 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?

-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