

01855

**POST GRADUATE DIPLOMA IN  
INTELLECTUAL PROPERTY RIGHTS (PGDIPR)**

**Term-End Examination**

**December, 2013**

**MIP-003 : INDUSTRIAL PROPERTY :  
TRADEMARKS, GEOGRAPHICAL INDICATIONS,  
TRADE SECRETS, UNFAIR COMPETITION**

*Time : 2 hours*

*Maximum Marks : 50*

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*Note : All questions are compulsory. However internal choices are given in each questions.*

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**PART-A**

1. State whether the following statements are **True or False**. Answer **any five** questions : **5x1=5**
- (a) Merchandising of fictional characters is the oldest and the best known form of merchandising. (T/F)
  - (b) Master Franchising approach is used more often in International Franchising. (T/F)
  - (c) What is the nature of protection conferred through International Registration ? (T/F)
  - (d) As per Trademark Law Treaty(TLT) only handwritten signature is permitted. (T/F)
  - (e) An international registration is effective for ten years. (T/F)
  - (f) Trademark Law Treaty(TLT) apply to service marks. (T/F)

## PART-B

2. Fill in the blanks . Answer **any five** questions :  $1 \times 5 = 5$
- (a) A trademark distinguishes the goods of the owner of the trademark from similar goods of \_\_\_\_\_.
  - (b) \_\_\_\_\_ forbids use of national flags and emblems for trademarks.
  - (c) \_\_\_\_\_ time limit for validity of trademark registration.
  - (d) Passing off is of \_\_\_\_\_.
  - (e) Bata is \_\_\_\_\_ for footwear.
  - (f) Basmati and Alphanso Mango indicate \_\_\_\_\_.
3. Attempt **any two** questions :  $5 \times 2 = 10$
- (a) What are the requirements which one must fulfill in order to serve a trademark ?
  - (b) Various types of protection are available for geographical indications. Comment.
  - (c) Law against unfair competition is meant only for the benefit of commercial organizations and business houses. Comment ?
4. Attempt **any two** questions :  $5 \times 2 = 10$
- (a) Compare and contrast trademark with trade secret ?
  - (b) What is deceptive similarity ? Explain briefly the measures for preventing this practice ?
  - (c) What is geographical indication? Discuss with the help of decided cases.
5. Attempt **any two** questions :  $10 \times 2 = 20$
- (a) Discuss the importance of trademark licensing. What are the restrictions on the license with regard to use of the trademarks ?

- (b) What are the contents of the regulations under the Trademark Law Treaty ?
  - (c) What do you understand by Franchising arrangements ? Explain the types of Franchise.
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