

**POST GRADUATE DIPLOMA IN
INTELLECTUAL PROPERTY RIGHTS (PGDIPR)
Term-End Examination
June, 2011**

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

Time : 2 hours

Maximum Marks : 50

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

1. State whether the following statements are *True* or *False*. Answer *any five* parts : **1x5=5**
- (a) An enterprise entitled to use a collective mark cannot use its own trademark.
 - (b) Trademark laws generally do not provide any grace period for use obligation.
 - (c) The protocol relating to Madrid agreement came into operation on April 1, 1996.
 - (d) 'Basmati' and 'Alpharo mango indicate a geographical indication.
 - (e) The owner of registered trademark can himself, at any time renounce his registration for either all or some of the goods for which the mark is registered.
 - (f) TRIPs Agreement does not lay down provisions for protection against unfair competition.

2. Fill in the blanks. Answer **any five** parts : **1x5=5**

- (a) _____ typically identify individual enterprises as the origin of marked goods or services.
- (b) Paris convention was signed in the year _____ .
- (c) The grace period granted in trademark laws that provide for a use obligation is often _____ years.
- (d) A trademark can be protected on the basis of either use or _____ .
- (e) _____ are the most common form of change of ownership.
- (f) An international registration of trade mark is effective initially for a period of _____ years.

3. Attempt **any two** parts : **5x2=10**

- (a) Discuss the situations when registered geographical indication is infringed.
- (b) How would you distinguish between a trade secret and know - how ?
- (c) What is a trade mark ? What kinds of sign can be registered as trademark.

4. Answer **any two** parts : 5x2=10

- (a) What do you understand by the term 'assignment' with respect to trademarks ?
- (b) Discuss the ground on which a trademark can be removed from the register.
- (c) What do you understand by personality merchandising and image merchandising ?

5. Answer **any two** parts : 10x2=20

- (a) Discuss the procedure for filing an application for international registration of a trademark.
 - (b) Discuss the provisions laid down in TRIPs Agreement for the protection of geographical indications.
 - (c) Discuss the law on comparative advertising of trademarks.
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