

[This question paper contains 2 printed pages.]

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Your Roll No.

LL.M/MCL

A

LM-2018 – INTELLECTUAL AND INDUSTRIAL
PROPERTY LAWS – II

Time : 3 Hours

Maximum Marks : 80

*(Write your Roll No. on the top immediately
on receipt of this question paper.)*

Attempt any four questions.

All questions carry equal marks.

1. Discuss the meaning of 'passing off' and explain its essential ingredients. Do you agree with the view that reputation of the Trademark itself is sufficient to sustain an action for passing off? Give your answer with the help of relevant case law.
2. "Principles of trademark protection are applied for protecting domain name in India." Explain this statement with the help of statutory provisions and relevant case law.
3. Define a well-known trade mark as given in the Trade Marks Act, 1999. Discuss the parameters laid down in the Act to determine a well-known trade mark and the protection extended to it in the Act.

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4. What is a Patent and what can be patented ? Elaborate what are not inventions under the Patents Act, 1970 ? Point out the difference between Indian position and position in developed countries in this regard.
5. "India has awakened to the necessity of protecting its geographical indications when it passed the Geographical Indications of Goods Act, 1999." Explain this statement. Critically evaluate the essential provisions of this Act and refer to registered geographical indications in India.
6. Write short notes on any **two** of the following :
 - (i) Provisions for preventing abuse of patent rights
 - (ii) Compulsory licences of patent
 - (iii) Specification

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