

# School of Law

Bachelor of Law  
ETE - Jun 2023

Time : 3 Hours

Marks : 100

## Sem IV - JIUB406T / BLA01021 / BLA02021

### Laws Relating to Trademark

*Your answer should be specific to the question asked*

*Draw neat labeled diagrams wherever necessary*

1. Elaborate the functions of trademark in today's contemporary world K1 CO1 (5)
2. Differentiate between conventional and non – conventional trademarks. K1 CO2 (5)
3. Trace the historical evolution of trademark law in India. K2 CO2 (5)
4. Discuss the Case Law “Starbucks Corporation v. Sardarbuksh Coffee & Co. & Ors., CS (COMM) 1007/2018”. K2 CO3 (10)
5. What do you understand by unfair competition and consumer confusion? K3 CO3 (10)
6. Outline the role of European Union in protection of trademarks. K4 CO4 (10)

### OR

- Explain the role Trademark Law Treaty in setting general standards for the registration of trademarks. K4 CO5 (10)
7. “Section 30 of the Trade Marks Act, 1999 provides that there is no infringement of registered trademark” Explain. K3 CO4 (10)
  8. *“Trademark registrations require a description of the goods and services to be protected by the registration. The national laws of many countries vary in the particularity of their description requirements. In an environment where trademarks are being registered internationally, uniformity in description requirements is desirable.”* In light of the given statement, elaborate the treaties which govern the international classification system with respect to trademarks. K5 CO4 (15)

### OR

- The Madrid System is a convenient and cost-effective solution for registering and managing trademarks worldwide.* In light of the above statement, explain the role of Madrid System in governing registration of trademarks. K5 CO6 (15)
9. *“Due to the cut-throat competition prevalent in the market today, companies and corporate are often forced to spend a huge chunk of their resources, financial and otherwise, on developing their goodwill and brand image. Consumers, nowadays, hence recognize products and brands and buy accordingly.”* In light of the above, explain non conventional trademarks and status of their protection in India. K5 CO5 (15)
  10. Analytically Examine the Judgement on **“Cadila Health care Ltd. v. Cadila Pharmaceuticals – 2001 (2) PTC 541 SC”**. K4 CO3 (15)