

Roll No. _____

SET CODE – A

TRADE MARKS AGENT EXAMINATION, 2025

[Under Rule 148 of the Trade Marks Rules, 2017]

PAPER – I

Duration: Two Hours

Max. Marks: 100

Instructions:

1. *This paper consists of 100 questions each carries one mark.*
2. *All questions are compulsory.*
3. *Candidates should read the questions carefully before answering.*
4. *No clarification will be provided during the examination on any technical / legal matter.*
5. *There is no negative marking.*
6. *All references to 'Act' and 'Rules' may be read as the Trade Marks Act, 1999, the Trade Marks Rules, 2017, The Geographical Indications of Goods (Registration and Protection) Act, 1999 and Geographical Indications of Goods (Registration and Protection) Rules, 2002 respectively, as amended up to date.*
7. *Possession of any kind of study materials and/or electronic gadgets and/or discussing with other candidates in any manner inside the examination hall are/is prohibited.*
8. *No candidate should leave or will be allowed to leave the examination hall (i) without completion of One hour (ii) without signing the Attendance Sheet; (iii) without properly handing over her/his OMR sheet/Answer Booklet to the Invigilator.*
9. *If any candidate wants to leave the examination hall before the completion of scheduled time, with the permission of the Invigilator he/she can leave by surrendering question paper also.*
10. *Candidates those who are seated in the examination hall till the end of the examination can take their question paper along with them.*

Choose the correct answer for the following questions:

1. A legal order that allows a person or entity to take legal action against an unknown party or parties is known as:
 - a) Anton Pillar Order
 - b) Mareva Injunction
 - c) John Doe Order
 - d) Plea Bargaining

2. "No man can have any right to represent his goods as the goods of another person". Which of the following principles is represented by the above statement?
 - a) Dilution of Trade Marks
 - b) Common man's principle
 - c) Passing off
 - d) Negligence

3. "No one can claim an exclusive right or monopoly over an entire class of goods" this was laid down in which of the following cases:
 - a) *Toyota Jidosha Kabushiki Kaisha v. M/S Prius Auto Industries Ltd.*
 - b) *Cadila Healthcare Ltd. v. Cadila Pharmaceuticals*
 - c) *Nandhini Deluxe v. Karnataka Co-Operative Milk Producers Federation Ltd.*
 - d) *Amritdhara Pharmacy v. Satya Deo Gupta*

4. *Bpi Sports Llc v. Saurabh Gulati & Anr.* is a leading case decided by Hon'ble Delhi High Court on:
 - a) Ordinary observers test
 - b) Bad Faith Applications
 - c) Renewal of Trade Marks
 - d) Assignment and Transmission

5. *Satyam Infoway Ltd. v. Sifynet Solutions Pvt Ltd* is a leading case on which of the following issues:
 - a) Meta Tagging
 - b) Rights of Broadcasting Organisations
 - c) Domain Name Disputes
 - d) Cyber fraud

6. What is the primary function of the Trade Marks Registry in India?
 - a) To register and maintain a record of registered trade marks
 - b) To regulate the use of trade marks in the market
 - c) To enforce trade mark law and resolve disputes in Indian Market
 - d) All the above

7. Which of the following CANNOT be registered as Trade Mark under the Trade Marks Act, 1999?

- A. ANTIBIOTIC for medicines
- B. PVC for plastic products
- C. Mango for toys
- D. Yarns for clothing

Choose the correct answer from the options given below:

- a) A, B and D only
- b) A, C and D only
- c) C only
- d) B and C only

8. Which of the following are the powers the Central Government under the Trade Marks Act, 1999?

- A. to declare any country as a convention country
- B. to make rules to carry out the purposes of the Act
- C. to mediate whenever a trade marks dispute arises between the Indian national and a foreign national
- D. to appoint the Registrar and other officers with such designations as it deems fit to carry out functions of the Registrar under the Act

Choose the correct answer from the options given below:

- a) A, B and C only
- b) A, C and D only
- c) B, C and D only
- d) A, B and D only

9. Which of the following may be the most justified reason for exercise of '*suo motu*' powers of rectification by the Registrar of Trade Marks?

- a) In the interest of purity of register
- b) To establish supremacy of the Registrar
- c) To maintain discipline amongst trade mark proprietors
- d) All the above

10. As per provisions of the Trade marks Act, 1999, the exclusive right obtained by registration CANNOT operate against the rights of prior users of the identical or nearly resembling trade marks for particular goods or services. The conditions necessary for this protection are:

- A. the mark must have been used from a date prior to the use of the registered trade mark, or its date of registration whichever is earlier
- B. the prior user claimed must be by the proprietor himself or by his predecessor in title
- C. the user claimed must be continuous

Choose the correct answer from the options given below:

- a) A and C only
- b) A and B only
- c) A, B and C
- d) B and C only

11. Which of the following is NOT a correct match under the Trade Marks Act, 1999:

- a) Section 9 - Grounds for the refusal of registration of a trade mark
- b) Section 19 – Procedure for the rectification of the register
- c) Section 21 – Procedure for filing a notice of opposition
- d) Section 71 – Application for registration of certification trade mark

12. Which are the correct matches under the Trade Marks Act, 1999:

- A. TM-A - Application for registration of Collective Mark
- B. TM-O - Notice of Opposition
- C. TM-R - Application for Rectification
- D. TM-M –Application for Well-known trade mark

Choose the correct answer from the options given below:

- a) B and C only
- b) A and D only
- c) A, B and D only
- d) B, C and D only

13. Which of the following statements is correct regarding the filing of a Notice of Opposition under the Trade Marks Act, 1999?

- a) A Notice of Opposition can be filed within six months from the date of advertisement of the trade mark in the Trade Marks Journal
- b) A Notice of Opposition must be filed within four months from the date of advertisement of the trade mark in the Trade Marks Journal
- c) The Notice of Opposition is filed before the High Court of the appropriate jurisdiction
- d) A Notice of Opposition can only be filed by the registered proprietor of an existing trade mark

14. What is an essential requirement to appoint an advocate to act as an agent in proceedings before the Registrar of Trade Marks as per law?
- A. A written authorization by trade mark proprietor to the agent
 - B. A written authorization by trade mark proprietor to act as agent with payment of applicable stamp duty
 - C. A verbal communication by the trade mark proprietor to the advocate
 - D. A signed consent letter sent by trade mark proprietor to the Trade Marks Registry
 - E. A consent letter with prescribed fee paid directly to the office of CGPDTM

Choose the correct answer from the options given below:

- a) A only
- b) B only
- c) A, C and E only
- d) B, C and D only

15. Which of the following is NOT a responsibility of a trade mark agent?

- a) Ensuring that the trade mark application meets legal requirements
- b) Representing the trade mark proprietor during the opposition process
- c) Guaranteed decisions of the Trade Marks Registry in favour of his client
- d) Filing necessary documents and responding to office actions

16. Can a trade mark agent act on behalf of multiple trade mark owners at the same time?

- a) No, they must represent only one trade mark proprietor at a time
- b) Yes, with consent of other clients
- c) Yes, as long as there is no conflict of interest
- d) No, it is illegal for a trade mark agent to represent multiple clients

17. Can a trade mark agent file an application for a trade mark that the proprietor has not approved?

- a) Yes, if the agent believes it will be successful
- b) No, the agent can only act upon the proprietor 's explicit instructions
- c) Yes, if the agent has his own compelling reasons
- d) No, unless the agent has written authorization from the trade mark office

18. Can a trade mark application be filed in India if the trade mark is not yet in use?

- A) No, the trade mark must be in use before applying
- B) Yes, as long as the applicant intends to use it in the future
- C) Yes, only in cases where the applicant is a foreign company
- D) No, trade marks are only registered when they are already in the Indian market or available for export

Choose the correct answer from the options given below:

- a) A only
- b) B only
- c) A, and C
- d) B, C and D only

19. Which of the following is TRUE about a collective mark?

- a) A collective mark can be owned by any individual or a company or an association or group of persons
- b) A collective mark can only be owned by a governmental body
- c) The collective mark can be owned by an association of persons not being a partnership firm
- d) Ownership of a collective mark can be assigned to individual persons only after its initial registration in favour of an association of persons

20. What is the minimum requirement for filing a Madrid Application (IAOI) under the Trade Marks Act, 1999?

- a) The trade mark must be used internationally
- b) The applicant must be national, domiciled or have a business or commercial establishment in India
- c) The trade mark must have been registered in at least two countries
- d) The applicant must be a foreign entity

21. Which of the following marks are prohibited for registration as a trade mark in India?

- A. BALAJI
- B. CHATRAPATI SHAHUJI MAHARAJ
- C. NEHRU
- D. CHATRAPATI SHIVAJI MAHARAJ

Choose the correct answer from the options given below:

- a) A, B and D only
- b) A, C and D only
- c) D only
- d) All the above

22. Match the following as per NICE classification:

Column – I	:	Column II
A. Class – 44	: :	i. Clothing
B. Class – 25	:	ii. Furniture
C. Class – 20	:	iii. Medical Services
D. Class – 05	:	iv. food for babies
E. Class – 30	:	v. Rice

Choose the correct answer from the options given below:

- a) A:i, B:ii, C:iv, D:iii and E:v
- b) A:iv, B:ii, C:iii, D:v and E:i
- c) A:iii, B:i, C:ii, D:iv and E:v
- d) A:i, B:ii, C:iv , D:v and E:iii

23. Which of the following statements is correct regarding well-known trade marks under the Trade Marks Act, 1999?

- a) A well-known mark is protected in India only if it is registered as a trade mark with the Indian Trade Marks Registry
- b) A well-known mark is given protection even if it is not registered in India, as long as it is well-known to the relevant section of the public
- c) Well-known marks are not protected under Indian law unless they are used exclusively in India
- d) Well-known marks can only be protected if they have been used for more than 5 years in India

Choose the correct answer from the options given below:

- a) A only
- b) B only
- c) C and D only
- d) All the above

24. Which of the following legislation, in effect, amended the Trade Marks Act, 1999 and made the 'High Court' as a first appellate court substituting the 'Intellectual Property Appellate Board'?

- a) The Intellectual Property Abolition Act, 2021
- b) The Tribunals Reforms Act, 2021
- c) The Trade Marks (Amendment) Act, 2021
- d) The Jan Vishwas (Amendment of Provisions) Act, 2023

25. The International Non-proprietary Names (INN) is declared by:

- a) WIPO
- b) WHO
- c) UNICEF
- d) UNESCO

26. Which provision of the Paris Convention for the Protection of Industrial Property relates to the protection of the state armorial bearings, flags and other state emblems:
- a) Article 6 *bis*
 - b) Article 5 *bis*
 - c) Article 5 *ter*
 - d) Article 6 *ter*
27. Which provision of the Paris Convention for the Protection of Industrial Property relates to the well-known marks:
- a) Article 6 *bis*
 - b) Article 6 *ter*
 - c) Article 5 *bis*
 - d) Article 5 *ter*
28. The provisions of clause (a) and (c) of sub-section (1) of Section 9 of the Trade Marks Act, 1999 are not applicable to which of the following:
- a) Sound Marks
 - b) Collective Marks
 - c) Shape Marks
 - d) Certification Trade Marks
29. What is the fee for filing an application for a trade mark in one class (online)?
- a) ₹ 3,000 for individuals/startups/ small enterprise and ₹ 6,000 for others
 - b) ₹ 5,000 for individuals/startups/ small enterprise and ₹ 10,000 for others
 - c) ₹ 4,500 for individuals/startups/ small enterprise and ₹ 9,000 for others
 - d) ₹ 10,000 for individuals/startups/ small enterprise and ₹ 20,000 for others
30. What is the fee for filing a request form TM-M for expedited processing of a trade mark (online) by individuals/startups/ small enterprise?
- a) ₹18000/-
 - b) ₹ 20000/-
 - c) ₹40000/-
 - d) Same as the original application fee
31. Which proceeding DOES NOT get expedited by applicant's request on form TM-M for expedited processing of a trade mark?
- a) Examination
 - b) Consideration of reply to examination report
 - c) Opposition proceedings
 - d) Post-registration request for assignment

32. What is the time limit to file an appeal against a decision of the Registrar?
- a) 1 month
 - b) 2 months
 - c) 3 months
 - d) 6 months
33. What is the time limit to file a review against the decision of the Registrar?
- a) 1 month
 - b) 1 month which is further extendable for 1 month
 - c) 3 months
 - d) 4 months
34. The Madrid Protocol was brought into force in India through which Amendment in the Trade Marks Act, 1999?
- a) The Trade Marks (Amendment) Act, 2010
 - b) The Trade Marks (Amendment) Act, 2017
 - c) The Trade Marks (Amendment) Act, 2019
 - d) The Trade Marks (Amendment) Act, 2015
35. Indian trade marks law DOES NOT provide for registration of which of the following marks?
- a) Sound Mark
 - b) Smell Mark
 - c) Shape Mark
 - d) Device or label
36. The term 'Geographical Indications' could be used for:
- a) Agricultural Goods
 - b) Natural Goods
 - c) Manufactured Goods
 - d) All the above
37. Which was the first Indian goods to get the geographical indication tag?
- a) Aranmula Kannadi
 - b) Madhubani Paintings
 - c) Katarni Rice
 - d) Darjeeling Tea

38. Which of the following is the benefit of getting GI Tag?
- It helps consumers to get quality goods of desired traits.
 - Legal protection to the goods
 - Promotes the economic prosperity of the producers of GI tagged goods
- Choose the correct answer from the options given below:
- Only i and ii
 - Only i and iii
 - Only ii
 - All i, ii and iii
39. With respect of which of the following kind of Intellectual Property Right there exists a statutory prohibition on assignment?
- Copyright
 - Patents
 - Trade Marks
 - Geographical Indications
40. Which kind of legal protection is available for trade marks protection in India?
- Statutory protection
 - Common law protection
 - Both a & b
 - None of the above
41. Action of Passing Off is:
- Statutory relief
 - Common law relief
 - Administrative relief
 - Has no legal support
42. 'Trade description' DOES NOT mean any description, statement or other indication, direct or indirect, :
- as to the standard of quality of any goods or services according to a classification commonly used or recognised in the trade
 - as to the mode of manufacture or producing any goods or providing services
 - as the identity of the user of the goods or of the person receiving the services
 - as to any goods being the subject of an existing patent, privilege or copyright
43. Which of the following statement is TRUE regarding the alteration of a registered trade mark under the Trade Marks Act, 1999?
- The alteration can be made freely without any formal procedure
 - The alteration request must be filed on prescribed form before the Registrar of Trade marks
 - The alteration can only be done through a court order
 - The alteration is possible only through the Central Government

44. Can a certification mark be assigned or transferred under the Trade Marks Act, 1999?

- a) Yes, it can be freely assigned or transferred to any entity without any formal procedure
- b) No, assignment of a certification trade mark is prohibited by law
- c) Yes, but only on a request on the prescribed form and with the consent of the Registrar
- d) Yes, but only if the assignee is a government agency

45. In a proceeding before the Registrar of Trade Marks who can be appointed as an agent by an applicant through a properly stamped Power of Authority (POA)?

- A. Any individual with Post Graduate Degree in any stream
- B. A legal practitioner or registered trade mark agent
- C. A person in the sole and regular employment of the principal
- D. A registered trade mark examiner

Choose the correct answer from the options given below:

- a) A, B and C only
- b) B, C and D only
- c) B and C only
- d) All of the above

46. Under the Trade Marks Act, 1999, which of the following is TRUE about the assignment or transfer of a trade mark?

- a) It must be by an agreement in writing which is duly stamped and for a lawful consideration
- b) It can only be done with the transfer of the business related to the trade mark
- c) It can be done only after the expiry of the registration
- d) The transfer can happen without any legal formalities

47. What is the handling fee charged by the Indian Registry for transmitting the Madrid application (IAOI) to WIPO?

- a) ₹4000/-
- b) ₹ 5000/-
- c) ₹ 6000/-
- d) ₹10000/-

48. As per Nice classification, the goods 'Diapers for babies' falls under which class?

- a) Class 05
- b) Class 10
- c) Class 24
- d) Class 25

49. As per Nice classification, the goods 'Industrial Robots' falls under which class?

- a) Class 07
- b) Class 08
- c) Class 09
- d) Class 10

50. Before determining a trade mark as well-known, the Registrar may invite objections from the general public which is to be filed within:

- a) 30 days from the date of invitation of such objection
- b) 45 days from the date of invitation of such objection
- c) 60 days from the date of invitation of such objection
- d) 90days from the date of invitation of such objection

51. A registered trade mark is infringed by any advertising of that trade mark if such advertising:

- A) takes unfair advantage of and is contrary to honest practices in industrial or commercial matters;
- B) is detrimental to its distinctive character;
- C) is against the reputation of the trade mark

Choose the correct answer from the options given below:

- a) A only
- b) B only
- c) C only
- d) All the above

52. What is the appropriate office of the Trade Marks Registry for the applicants from Union territory of Dadra and Nagar Haveli?

- a) Mumbai
- b) Chennai
- c) Ahmedabad
- d) Kolkata

53. What is the prescribed application fee for filing a trade mark by a Hindu Undivided Family (offline)?

- a) ₹4500/-
- b) ₹5000/-
- c) ₹ 9500/-
- d) ₹ 10000/-

54. Match the following Geographical Indications with concerned GI tags:

Column – I	:	Column II
A. Coimbatore	:	i. Embroidery
B. Kutch	:	ii. Orange
C. Coorg	:	iii. Tea
D. Kangra	:	iv. Wet Grinder

Choose the correct answer from the options given below:

- a) A:i, B:ii, C:iv, D:iii
- b) A:iv, B:ii, C:iii, D:i
- c) A:iii, B:i, C:ii, D:iv
- d) A:iv, B:i, C:ii, D:iii

55. Under which rule of the Trade Marks Rules, 2017 the Registrar of Trade Marks issues a search certificate under sub-section (1) of section 45 of Copyright Act, 1957?

- a) Rule 18
- b) Rule 20
- c) Rule 21
- d) Rule 22

56. Which of the following can be an example of a collective Trade Mark?

- a) A logo used by a single company
- b) A certification mark
- c) A mark used by an association of farmers
- d) A personal name

57. What does Section 57 of the Trade Marks Act, 1999 primarily address?

- a) The registration process of trade marks
- b) The penalties for trade marks infringement
- c) The power of the High Court or Registrar to cancel a registration
- d) All of the above

58. What is the significance of Section 45 of the Trade Marks Act, 1999?

- a) It provides for the registration of service marks
- b) It outlines the penalties for trade marks infringement
- c) It specifies the procedure for cancellation of trade marks
- d) It deals with the assignment and transmission of registered trade marks

59. What is the significance of the date of filing of a trade mark application under the Trade Marks Act, 1999?

- a) It helps determining the priority of the trade mark applications
- b) It is irrelevant to the registration process
- c) It is used to calculate the registration fee
- d) It is the date when the trade mark is published in the Trade Marks Journal

60. Under the Trade Marks Act, 1999, which of the following is presently NOT a requirement for renewing a trade mark?
- a) The trade mark must be in use
 - b) The renewal application must be filed in the prescribed form
 - c) The prescribed fee must be paid
 - d) The trade mark must be valid and subsisting
61. Where the proprietor of an earlier registered trade mark being aware that his competitor is using an identical trade mark, ignores this fact for a decade and thereafter decides to oppose the use of the later trade mark, his case would be barred by:
- a) Principle of res-sub judice
 - b) Principle of res-judicata
 - c) Principle of acquiescence
 - d) Principle of pith and substance
62. A person may acquire a rights over a trade mark:
- a) By use of the trade mark in relation to particular goods
 - b) By registration of a trade mark
 - c) By assignment or transmission of the trade mark from another person
 - d) All the above
63. The certified copy of a document under rule 122, of the Trade Mark Rules, 2017 may be obtained from the Registrar of Trade Marks by making an application on which of the prescribed forms?
- a) TM-C
 - b) TM-R
 - c) TM-M
 - d) TM-U
64. Which of the following statements is TRUE as per the Trade Marks Act, 1999?
- a) A trade mark is deemed registered as of the date of the making of the trade mark application.
 - b) A trade mark is deemed registered on the date of the actual registration.
 - c) Both a & b
 - d) None of the above
65. The geographical indication tag to a product named *Tamenglong Orange* is associated with which State in India?
- a) Nagaland
 - b) Manipur
 - c) Rajasthan
 - d) Uttar Pradesh

66. Name of a movie sequel (a cinematograph film) can be protected as:
- a) Patents
 - b) Designs
 - c) Trade Marks
 - d) Copyright
67. Which of the following statements is TRUE about the Geographical Indications of Goods (Registration and Protection) Act, 1999?
- a) The GI Act protects only agricultural goods
 - b) The GI tag can be obtained for both goods and services
 - c) The GI Act provides protection against unauthorized use of the GI
 - d) The GI Act is applicable only to goods manufactured in India
68. What is a homonymous geographical indication?
- a) A geographical indication that is unique to one region
 - b) A geographical indications that share the same name, but designate different geographical regions
 - c) A geographical indication that is not recognized legally
 - d) A geographical indication that is only applicable to agricultural goods
69. What is currently the prescribed fee for making an application for an authorized user of a Geographical Indication in India?
- a) ₹100
 - b) ₹500
 - c) ₹10
 - d) ₹ 1000
70. Under the Trade Marks Act, 1999 what is the meaning of “transmission”?
- a) A devolution on the personal representative of a deceased person
 - b) A transfer by operation of law
 - c) Any other mode of transfer, not being assignment
 - d) All the above
71. What does Section 10 of the Trade Mark Act, 1999 address?
- a) Limitation on trade mark duration
 - b) Limitation on colors in a trade mark
 - c) Limitation on company names
 - d) Limitation on trade descriptions
72. What power does the Registrar have under Section 59 of the Trade Mark Act, 1999?
- a) To remove an entry without notice
 - b) To alter registered trade mark
 - c) To create new trade mark classes
 - d) To record assignment of a trade mark

73. What factor is to be considered by the Registrar when determining a trade mark as a well-known trade mark?

- a) Number of years the mark has existed
- b) The geographical area of the trade mark's use
- c) The level of promotion of the trade mark
- d) All of the above

74. When did the Trade Marks Rules, 2017, come into force?

- a) January 1, 2017
- b) March 6, 2017
- c) April 10, 2017
- d) July 1, 2017

75. As per rule 10 of the Trade Marks Rules, 2017 where a fee is payable in respect of filing of a document and where the document is filed without fee or with insufficient fee, the result is:

- a) It is automatically accepted by the filing counter
- b) It is considered as filed but pending
- c) It is deemed not to have been filed
- d) It is kept on hold

76. Who is authorized to certify the contents of an international application (IAOI) under the Madrid Protocol?

- a) The Central Government
- b) The Registrar of Trade Marks
- c) A registered trade mark agent
- d) WIPO

77. When is an applicant for trade mark required to provide a statement of user?

- a) Only after registration
- b) Only during the opposition proceedings
- c) At the time of filing of application, unless the trade mark is proposed to be used
- d) It is not at all required

78. Which form is used by the Registrar to issue a certificate of trade mark registration?

- a) Form RG-2
- b) Form TM-P
- c) Form TM-R
- d) Form TM-M

79. Under Rule 68, of Trade Marks Rules,2017 the Registrar is required to enter international trade mark details into a record known as:

- a) The Registry of International Applications
- b) The Register of Foreign Trade Marks
- c) The Record of Particulars of International Registration
- d) The National Record of Trade Marks

80. As per rule 50 of the Trade Marks Rules, 2017 what happens if, on an adjourned date, the applicant neither appears for the scheduled hearing in opposition proceedings nor files any adjournment request or written argument?

- a) The opposition may be dismissed
- b) The application may be treated as abandoned
- c) The opposition is automatically treated as withdrawn
- d) The application is automatically treated as withdrawn

81. Where an application is made for the registration of a trade mark which falsely suggests a connection with any person whose death took place on 20 December 2024, the Registrar may:

- a) Register the trade mark in his discretion
- b) Require the applicant to furnish him with the consent in writing of the legal representative of the deceased person
- c) Register the trademark without calling for any further formality as he is the sole custodian of the Register
- d) Both a and c

82. If an international registration designating India is received through the Madrid System is a collective or certification trademark, what must be submitted within one month?

- a) The regulations governing the use of the mark
- b) A special request letter from the holder
- c) A special recommendation from WIPO
- d) Both b and c

83. What is one of the requirements for submitting a three-dimensional trademark application?

- a) Single view of the trade mark
- b) Three different views of the trade mark
- c) Where the Registrar considers that the reproduction of the trade mark furnished by the applicant does not sufficiently show the particulars of the three dimensional trade mark, he may call upon the applicant to furnish up to five further different views of the trade mark and a description by words of the trade mark
- d) Both b and c

84. If an international application is received without all required details in form MM2, what will the International Bureau of WIPO do?

- a) Refuse it immediately
- b) Accept it with conditions
- c) Return it to the applicant
- d) Will issue an irregularity notification in this regard

85. What must be included if the applicant claims colour as a distinctive feature in the mark applied under the Madrid Protocol before the office of origin?

- a) A color photograph of the mark as annexure along with a prototype
- b) A description by words of the colour or combination of colours
- c) A signed declaration from the Office of origin
- d) A separate application for each colour

86. What is Rule 21 of the Regulations under the Madrid Protocol concerned with?

- a) Renewal of international registrations
- b) The assignment of registration fees
- c) Subsequent designation
- d) Replacement of a national or regional registration by an international registration

87. Under the Trade Marks Act, 1999 what does the term "goods" refer to?

- a) Anything in solid form
- b) Anything which is the subject of trade or manufacture
- c) Any service rendered
- d) Both b and c

88. In which scenario can a trade mark containing a geographical origin be registered?

- a) If it has acquired a distinctive character as a result of the use made of it
- b) If it is already registered internationally
- c) If it is commonly used in trade
- d) If it is the name of a well-known region

89. Which of the following acts is NOT considered an infringement of a registered trademark?

- a) Importing goods bearing the registered trademark without permission
- b) Using the trade mark for advertising, provided it is honest and fair
- c) Affixing the trade mark to the packaging of goods without authorization
- d) Using a deceptively similar mark in relation to identical goods

90. In the context of the Trade Marks Act, the term "permitted use" refers to:

- a) Use of a trade mark without the proprietor's consent by educational institutions
- b) Use of a trade mark by anyone for promotional purposes
- c) Use of a trade mark by a registered user under specific conditions set by the proprietor
- d) Use of a trade mark for goods and services for government purposes

91. What is required for the assignment of a registered trade mark without goodwill under Section 42 of the Trade Marks Act, 1999?
- No additional requirements; it is treated the same as other assignments
 - The assignment must be advertised, and Registrar approval obtained
 - The assignment must be approved by a court
 - The Registrar automatically transfers the rights
92. What does Section 25 of Geographical Indications of Goods (Registration and Protection) Act, 1999 prohibit regarding geographical indications?
- Registration of geographical indications as a trade mark
 - Use of the geographical indication abroad
 - Re-registration of expired geographical indications
 - Usage by non-authorized producers
93. Which section of Geographical Indications of Goods (Registration and Protection) Act, 1999 outlines the requirements for an application to register as an authorized user?
- Section 12
 - Section 17
 - Section 23
 - Section 30
94. What is the Registrar's discretion regarding amendments under Section 15 of Geographical Indications of Goods (Registration and Protection) Act, 1999?
- The Registrar can permit amendments only before advertisement
 - The Registrar can permit amendments only after the application is opposed
 - Amendments require judicial approval
 - The Registrar can permit correction of errors and amendments anytime, even after acceptance of an application
95. What is prohibited under Section 20(1) of Geographical Indications of Goods (Registration and Protection) Act, 1999?
- Assignment of geographical indications
 - Renewal of geographical indications after expiry
 - Infringement proceedings for unregistered geographical indications
 - Appeal of Registrar's decisions
96. Under Section 26 of Geographical Indications of Goods (Registration and Protection) Act, 1999, what protection is granted to trade marks containing geographical indications?
- It's validity cannot be challenged based on a GI registration if it was registered in good faith before the commencement of the Act
 - Automatic invalidation of a trade mark
 - No protection is granted to any kind of trade mark
 - Conditional protection to a trade mark for five years

97. What is the deadline for responding to deficiencies under rule 31 raised by the Registrar under Geographical Indications of Goods (Registration and Protection) Rules, 2002?

- a) 15 days
- b) 1 month
- c) 6 months
- d) 2 months

98. Who can apply for registration of a Geographical Indication?

- a) Any individual or a company
- b) Any association of persons or organization of producers representing interest of producers
- c) Both a & b
- d) All of the above

99. What happens when a geographical indication application contains goods from multiple classes but only one application fee is paid?

- a) The application is rejected outright
- b) The applicant must amend the application in order to restrict the goods to a single class
- c) The Registrar automatically divides the application
- d) The application is kept pending until the fee discrepancy is resolved

100. Which of the following statements is TRUE about the Geographical Indications of Goods (Registration and Protection) Act, 1999?

- a) The particulars relating to the registration of the geographical indications shall be incorporated and form Part 'A' of the Register
- b) The particulars relating to the registration of the authorised users shall be incorporated and form part of Part 'B' of the Register
- c) The particulars relating to the registration of the geographical indications and the authorized users shall find place simultaneously in the same part of the register.
- d) Both a & b

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