

**Question Paper**

**Trade Marks Agent Examination – 2015**

(Rule 154 of the Trade Marks Rules 2002)

Saturday – 31<sup>st</sup> October, 2015

Duration: 2 Hours [10.00 A. M. -12.00 P.M.]

Full Marks: 90

General Instructions:

- The Question paper is divided into three parts. Part A consists of 50 questions, each carrying 1.5 marks. The Candidates are required to attempt all questions by writing appropriate answer in the blank space (\_\_\_\_\_).
- Part B consists of four questions, each carrying 5 marks. Candidates are required to attempt any one question and write the answer within 100 words in the space provided for the same.
- Part C consists of four questions, each carrying 10 marks. Candidates are required to attempt any one question and write the answer within 250 words in the space provided for the same.
- Total marks allotted for the written examination is 90. The interview of candidates will be followed after the written examination at the venue specified in the public notice and the same will carry 10 marks.
- The candidates are required to submit the question paper cum answer sheet to the invigilator before leaving the examination hall.
- Candidates are required to use ball point pen (black / blue ink) to write the answer in this booklet.

(To be filled by the candidates)

1. **Name of the candidates:**
2. **Sr. No. as per list:**
3. **City from which candidates belongs (as filled in TMA 1):**
4. **Email ID:**
5. **Mob No.:**

<b>Signature of the candidate</b>	<b>Signature of the invigilator</b>

(To be filled by the office)

1. Marks obtained in Part A: \_\_\_\_\_
2. Marks obtained in Part B: \_\_\_\_\_
3. Marks obtained in Part C: \_\_\_\_\_

**Total:** \_\_\_\_\_

Qualified	Not Qualified
-----------	---------------

**Remarks:**

[Space for rough work]

**A. Fill in appropriate answers in the blanks. Each question carries 1.5 marks. [50 X 1.5 = 75]**

1. Transfer of trademark rights is possible by way of \_\_\_\_\_ and the same may be applied on Form \_\_\_\_\_.
2. CGPDTM stands for \_\_\_\_\_.
3. BIS, ISI, Hallmark, are types of \_\_\_\_\_ trademark.
4. Sign of ® is used for \_\_\_\_\_.
5. TRIPS stand for \_\_\_\_\_.
6. A Trademark may be refused registration under the both grounds i.e. \_\_\_\_\_ and \_\_\_\_\_ grounds.
7. A trademark advertised in the trade Mark Journal, may be opposed within \_\_\_\_\_ months from the date of advertisement / re-advertised.
8. The term for the registration of Trademarks in India is \_\_\_\_\_ years and its renewal may be done at expiry of every \_\_\_\_\_ years.
9. World Intellectual Property Day is celebrated on \_\_\_\_\_ day of April.
10. WIPO stands for \_\_\_\_\_.
11. Definition of Trade Mark is given in section \_\_\_\_\_ of Trade Marks Act, 1999.
12. An appeal against the order of registrar of Trade Marks may be filed before \_\_\_\_\_.
13. Absolute grounds for refusal of registration are given in section \_\_\_\_\_ of Trade Marks Act, 1999.
14. Relative grounds for refusal of registration are given in section \_\_\_\_\_ of Trade Marks Act, 1999.
15. I.N.N. stands \_\_\_\_\_.
16. Passing Off is a remedy available for the proprietor of \_\_\_\_\_ Trade Mark.
17. Provision for limitation as to colour is mentioned in section \_\_\_\_\_ of Trade Marks Act, 1999.
18. Inspection of documents is given under section \_\_\_\_\_ of Trade Marks Act, 1999.
19. Section \_\_\_\_\_ of the Trade Marks Act, 1999 deals with The Trade Marks Agent.
20. An appeal to IPAB from any decision of the Registrar under the Act or the rules shall be made within \_\_\_\_\_ months from the date of such decision.
21. Rule \_\_\_\_\_ of Trade Marks Rules, 1999 deals with qualification for registration of Trade Marks Agents.
22. First Schedule of The Trade Marks Rules, 2002 deals with \_\_\_\_\_.
23. Classes 1-34 of the NICE Classification are about \_\_\_\_\_ and class 35-45 are about \_\_\_\_\_.
24. If an applicant's place of business is in Nasik, then application for registration of his trademark can be filed under the jurisdiction of the Trade Marks Registry office \_\_\_\_\_ (please write the place of TM office).
25. For correction of clerical error or for amendment in the application for registration of Trademark is filed on Form \_\_\_\_\_.
26. Notice of intention to attend hearing is filed in Form \_\_\_\_\_.
27. Form \_\_\_\_\_ is an application filed for renewal after the expiry of last registration of trademarks/ collective mark/ certification trade mark.
28. Form \_\_\_\_\_ is an Application for the rectification of the register or the removal of a trade marks from the register.
29. Form \_\_\_\_\_ is an application by register proprietor of trade mark for cancellation of entry thereof in the register.

30. Form \_\_\_\_\_ is an application for registration as a trade mark agent.
31. Form \_\_\_\_\_ is for request for extension of time.
32. Form \_\_\_\_\_ is for making application for registration of a collective trademark for a specification of goods or services included in a class.
33. Form \_\_\_\_\_ is for making application for registration of a certification trademark for a specification of goods or services included in a class.
34. Madrid Protocol is for \_\_\_\_\_.
35. Form \_\_\_\_\_ is for request for expedited examination of an application for the registration of a trade mark under Trade Marks Rules 2002.
36. Form \_\_\_\_\_ is form of authorisation of an agent in a matter or proceeding under the TM Act, 1999.
37. Headquarter of Trade Mark registry is in \_\_\_\_\_ and it has its branches in \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_.
38. Priority of the date in respect of the application for registration of a trademark filed in India can be claimed on the basis of \_\_\_\_\_.
39. Section \_\_\_\_\_ of the Trade Marks Act, 1999 deals with the registration of a trademark on the basis of honest concurrent use of the trademark.
40. Registration of certain trademark is prohibited under section(s) \_\_\_\_\_ of the Trade Marks Act, 1999.
41. The Registrar of Trademarks may withdraw acceptance of an application for registration any time before the registration under section \_\_\_\_\_ of Trade Marks Act, 1999.
42. No action of infringement can be brought against \_\_\_\_\_ trademarks.
43. Section \_\_\_\_\_ of Trade Marks Act, 1999 deals with power to cancel or vary registration and to rectify the register.
44. Chapter \_\_\_\_\_ of the Trade Marks Act, 1999 deals with offences, penalties and procedures.
45. Any Person, accused of falsification of entries in the register shall be liable for punishment with imprisonment of terms which may extend to \_\_\_\_\_ years or with fine or with both.
46. A police officer, not below the rank of \_\_\_\_\_ is required to obtain an opinion from the Registrar of Trademark on facts involved in the offence relating to trade marks u/s 115 of the Trade Marks Act, 1999.
47. No court inferior to that of a \_\_\_\_\_ shall try an offence under Trade Marks Act, 1999.
48. No suit for infringement can be instituted in a court inferior to \_\_\_\_\_ having jurisdiction to try the suit.
49. A person is falsely representing a trademark as registered which is in fact not registered in respect of certain goods and /or services; she/he is committing an offence under section \_\_\_\_\_ of the Trade Marks Act, 1999.
50. Form MM2 (E) is used for \_\_\_\_\_.

**B. Answer any one from the following questions only in space provided below. Each question carries 5 marks. (Answer should not exceed 100 words). [1 X 05 = 05]**

1. Who may apply for registration of a trademark?
  2. What is a Trademark?
  3. What are the types of Trademarks that can be registered?
  4. What is the essential information required for an application for registration of trademark (s) in India?
- 
-







