| **Date** | **:** | **6 thApr 2025** | **CIE – I** | **Max. Marks** | **:** | **10 + 50** |
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| **Semester** | **:** | **VI** | **UG** | **Duration** | **:** | **30 + 90 Min** |
| **Course Title: Entrepreneurship & Intellectual Property Rights** | | | | **Course Code** | **:** | **HS361TA** |

**SCHEME & SOLUTIONS**

| **Sl. No** | **Solutions with Scheme** | **M** |
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| **Part – A** | | |
|  | Ecolabelling is avoluntary method of environmental performance certification and labelling that is practised around the world. An ecolabel identifies products or services proven to be environmentally preferable within a specific category. | 2 |
|  | A trademark is a registered legal right protecting a brand's symbol or name.  Passing off protects unregistered trademarks from being misused to deceive consumers. | 2 |
|  | A **collective trademark** is a mark used by members of a group or association to indicate that the goods or services originate from members of that organization and meet certain quality standards. | 2 |
|  | In the context of business operations, the break-even point is the level of sales at which a company's total revenue equals its total costs, meaning the business makes no profit and incurs no loss. It helps determine the minimum output needed to cover all expenses. | 2 |
|  | A financial plan is important in a business plan because it helps estimate the funding needs, forecast future revenues and expenses, and assess the profitability and financial viability of the business. It guides decision-making and attracts investors or lenders. | 2 |

| **Part – B** | | |
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| 1 a. | **1. Definition of Trademark - (2)MARKS**  A trademark is a distinctive sign, symbol, word, or logo used by a business to identify its products or services and distinguish them from others. It grants exclusive rights to the owner and protects against unauthorized use.  **2. Importance of Trademark: (2)MARKS**   * Ensures brand recognition and customer loyalty. * Protects business goodwill and reputation. * Prevents consumer confusion. * Provides legal remedies against infringement.   ANY TWO CASES –EACH CASE **(3)MARKS**  **Case 1: Cadbury India Ltd. vs. Neeraj Food Products (2007)**   * **Background:** Cadbury filed a suit against Neeraj Food Products for using packaging that closely resembled Cadbury’s Dairy Milk chocolate wrapper. * **Issue:** Whether the similar packaging constituted passing off and trademark infringement. * **Judgment:** The court ruled in favor of Cadbury, stating that Neeraj Food’s packaging caused confusion among consumers and amounted to passing off. * **Impact:** Reinforced protection of unregistered trademarks and packaging designs under passing off laws to prevent unfair competition.   **Case 2: Tata Sons Ltd. vs. Manoj Dodia (2008)**   * **Background:** Tata Sons challenged Manoj Dodia for unauthorized use of the ‘Tata’ mark. * **Issue:** Whether such use infringed the well-known trademark ‘Tata’. * **Judgment:** The court upheld Tata’s rights and restrained Dodia from using the mark, recognizing the ‘Tata’ mark as well-known and deserving strong protection. * **Impact:** Strengthened the legal position of famous trademarks and emphasized protection beyond mere registration. | 10 |
| 2. | **1. Definition of Trademark: (2)MARKS**  A trademark is a sign or symbol used to identify and distinguish goods or services of one enterprise from those of others.  **2. Registrable Trademark: (2)MARKS**   * A trademark that satisfies the legal requirements under trademark law and is eligible for registration. * It must be distinctive, not deceptive or scandalous, and should not conflict with existing trademarks. * Registrable trademarks provide exclusive legal rights and protection to the owner.   **3. Criteria for Registrability: (2)MARKS**   * Must be capable of distinguishing the goods/services. * Should not be descriptive of the product or service. * Must not be identical or confusingly similar to existing registered marks. * Should not be generic or common terms. * Should not be deceptive or misleading.   **4. Non-registrable Trademarks: (2)MARKS**   * Marks that do not qualify for registration under trademark law. * Includes marks that are generic, descriptive, offensive, deceptive, or contrary to law/public order. * Also includes marks that are identical or similar to well-known or existing trademarks, likely to cause confusion.   **5. Examples of Non-registrable Marks: (2)MARKS**   * Common names like “Milk” for milk products. * Symbols or marks contrary to morality or public policy. * Geographical names used generically (e.g., “Chennai” for a product made elsewhere). * Marks that describe quality, quantity, intended purpose, or characteristics directly. | 10 |
| 3 | * The unauthorized use of the Soil Association’s eco-label by ABG constituted trademark infringement and passing off, as it deceived consumers into believing that ABG’s products were certified organic by the Soil Association. This case highlights the importance of protecting eco-labels and certification marks to maintain consumer confidence and uphold environmental standards.(2 MARKS) * The Soil Association’s eco-label was a **certification mark**, meaning it certified compliance with certain organic standards rather than identifying the manufacturer. * Certification marks require strict control by the certifying body over who uses the mark and how.Unauthorized use can confuse or mislead consumers about the authenticity of organic certification.Such misuse harms the reputation and trust in the certification system .(3 MARKS) | 05 |
| 3.b | **Court’s Analysis and Solution: (3 MARKS)**   * The court examined the similarity in the marks visually and phonetically. * It considered the overall impression on an average consumer, including the nature of products and market. * The court ruled that the mark **“Munch”** is not inherently distinctive, being a common English word, and thus the use by Nestle did not amount to infringement or deceptive similarity in this case. * The court emphasized that mere use of a common word as a trademark does not automatically lead to infringement unless there is a clear likelihood of confusion.   The court held that Nestle’s use of the mark “Munch” was **not deceptively similar** to ITC’s mark and did **not constitute trademark infringement**. This case highlights that the overall impression and distinctiveness of the mark are crucial in deciding deceptive similarity. **(2 MARKS)** | 05 |
| 4 | **a) Identifying Market Opportunities and Trends:** .(2 MARKS)   * **Importance:** Recognizing emerging needs, gaps, or shifts in consumer behavior to guide innovation. * **Methods:** Market research, competitor analysis, customer feedback, and trend forecasting. * **Impact:** Ensures product ideas align with real-world demand, reducing risk.   **b) Integration of Engineering Principles & Cross-Disciplinary Collaboration:** .(2 MARKS)   * **Engineering Integration:** Applying core engineering concepts (design, materials, manufacturing) during ideation to ensure practicality. * **Cross-Disciplinary Collaboration:** Involves experts from marketing, design, finance, and engineering to foster creativity and solve complex problems. * **Outcome:** Drives more robust, innovative, and market-ready solutions.   **c) Assessing Market Feasibility and Demand Analysis:** .(2 MARKS)   * **Market Feasibility:** Evaluates if there’s sufficient demand, competitive advantage, and market size. * **Demand Analysis:** Uses surveys, focus groups, and sales forecasting to estimate customer interest and purchase likelihood. * **Purpose:** Determines commercial viability before resource-intensive development.   **d) Evaluating Technical Feasibility: Prototype Development & Proof of Concept:** .(2 MARKS)   * **Prototype Development:** Creating a working model to test design, functionality, and usability. * **Proof of Concept (PoC):** Demonstrates the idea’s technical viability in real conditions. * **Benefits:** Identifies technical challenges early and refines the product.   **e) Financial Feasibility Analysis: Cost Estimation & Revenue Projection:** .(2 MARKS)   * **Cost Estimation:** Includes R&D, manufacturing, marketing, distribution, and operational costs. * **Revenue Projection:** Forecasts sales volume, pricing strategy, and profit margins over time. * **Objective:** Ensures the product can be profitable and financially sustainable. | 10 |
| 5 | **SWOC Analysis:.(5 MARKS)**  SWOC analysis is a strategic tool used by organizations to identify internal and external factors that affect their performance. It helps in understanding the business environment and formulating strategies.   * **Strengths:** Internal attributes or resources that give the company an advantage over competitors (e.g., strong brand, skilled workforce). * **Weaknesses:** Internal limitations or areas where the company is lacking compared to competitors (e.g., outdated technology, weak distribution network). * **Opportunities:** External factors that the company can exploit to its advantage (e.g., emerging markets, technological advancements). * **Challenges (Threats):** External factors that could cause trouble for the company (e.g., intense competition, regulatory changes).   **2. Porter’s Generic Competitive Strategies:** .(5 MARKS)  Michael Porter proposed three generic strategies that companies can use to achieve competitive advantage:   * **Cost Leadership:** The company aims to become the lowest-cost producer in the industry. This enables it to offer products at lower prices than competitors or maintain average prices with higher profit margins. *Example:* Walmart uses cost leadership by optimizing its supply chain to offer low prices. * **Differentiation:** The company offers unique products or services that are valued by customers, allowing it to charge premium prices. Differentiation can be based on quality, features, brand image, or customer service. *Example:* Apple differentiates its products through innovative design and technology. * **Focus Strategy:** The company targets a specific market niche, focusing either on cost or differentiation within that segment. It tailors products or services to meet the unique needs of the niche market. *Example:* Rolex focuses on luxury watch buyers, offering high-end, exclusive products. | 10 |