

IPR QB-2 Module 3, 4, 5

1. What is the primary purpose of a trademark?

- A. To register a company
- B. To indicate the price of goods
- C. To identify and distinguish goods or services of one source from another
- D. To determine tax liabilities

Answer: C

2. Which of the following is not a type of trademark?

- A. Product mark
- B. Service mark
- C. Certification mark
- D. Legal mark

Answer: D

3. What is the validity period of a registered trademark in India?

- A. 5 years
- B. 7 years
- C. 10 years
- D. Lifetime

Answer: C

4. Which Act governs trademarks in India?

- A. The Copyright Act, 1957
- B. The Patents Act, 1970
- C. The Trade Marks Act, 1999
- D. The Designs Act, 2000

Answer: C

5. In the famous case of Coca-Cola Company vs. Bisleri International Pvt. Ltd., what was the issue?

- A. Patent infringement

- B. Copyright violation
- C. Trademark infringement and passing off
- D. Design registration

Answer: C

6. What is “passing off” in trademark law?

- A. Selling expired goods
- B. Registering a fake brand
- C. Misrepresentation that causes damage to the goodwill of another's trademark
- D. Importing illegal goods

Answer: C

7. Which of the following can be registered as a trademark in India?

- A. Smell
- B. Sound
- C. Word
- D. All of the above

Answer: D

8. Trademark infringement can result in which of the following remedies?

- A. Injunction
- B. Damages
- C. Account of profits
- D. All of the above

Answer: D

9. What is the penalty for falsifying a trademark under Indian law?

- A. No penalty
- B. Only a warning
- C. Imprisonment up to 3 years and/or fine
- D. Permanent ban on doing business

Answer: C

10. What is the primary purpose of design registration?

- A. To reduce production cost
- B. To protect the aesthetic aspect of an article
- C. To increase product durability
- D. To protect technical functionality

Answer: B

11. Which Act governs the registration of industrial designs in India?

- A. The Designs Act, 2000
- B. The Trade Marks Act, 1999
- C. The Copyright Act, 1957
- D. The Patents Act, 1970

Answer: A

12. Which of the following is not eligible for design protection in India?

- A. A new shape of a bottle
- B. A mechanical gear system
- C. A novel pattern on fabric
- D. A unique design on a phone case

Answer: B

13. What is the initial validity period of a registered industrial design in India?

- A. 5 years
- B. 10 years
- C. 15 years
- D. 20 years

Answer: A (extendable up to 10 years total)

14. Which international treaty is related to the protection of industrial designs?

- A. TRIPS Agreement
- B. Berne Convention
- C. Hague Agreement
- D. Paris Convention

Answer: C

15. What is the outcome of the case Apple Inc. vs. Samsung Electronics Co. primarily related to?

- A. Patent infringement
- B. Trademark infringement
- C. Industrial design infringement
- D. Copyright infringement

Answer: C

16. What is one ground for cancellation of a registered design?

- A. The design is functional rather than aesthetic
- B. The design was never used
- C. The design is registered in another country
- D. The designer moved abroad

Answer: A

17. Which form is used for applying for design registration in India?

- A. Form 1
- B. Form 5
- C. Form 7
- D. Form 24

Answer: A (Design Form 1)

18. What is a non-protectable industrial design under Indian law?

- A. A novel ornament
- B. A design applied to a textile
- C. A design that is not visible in a finished product
- D. A design created by a foreign citizen

Answer: C

19. Which Act governs the registration and protection of Geographical Indications in India?

- A. The Trade Marks Act, 1999
- B. The Patents Act, 1970

- C. The Geographical Indications of Goods (Registration and Protection) Act, 1999
- D. The Copyright Act, 1957

Answer: C

20. Who can apply for the registration of a Geographical Indication in India?

- A. An individual inventor
- B. Any single trader
- C. Any association of persons or producers or an organization
- D. A foreign company only

Answer: C

21. Which of the following is an example of a registered GI in India?

- A. Coca-Cola
- B. Basmati Rice
- C. Apple iPhone
- D. Microsoft Windows

Answer: B

22. What rights are granted to holders of a registered GI?

- A. Right to sell the GI to others
- B. Right to use the GI exclusively for the goods registered
- C. Right to register patents under the same name
- D. Right to use the trademark for unrelated goods

Answer: B

23. Which of the following is not eligible for GI registration?

- A. Goods that mislead the public
- B. Handicrafts with a regional origin
- C. Agricultural produce from a specific region
- D. Manufactured goods with a regional identity

Answer: A

24. The GI case study involving turmeric (curcuma) was related to:

- A. Trademark dispute

B. Patent grant for its healing properties

C. Software development

D. Export taxation

Answer: B

25. Which organization in India is responsible for GI registration?

A. Indian Patent Office

B. Geographical Indications Registry under the Controller General of Patents, Designs and Trademarks

C. Copyright Office

D. National Biodiversity Authority

Answer: B

1. What is a trade mark primarily used for?

A) Tax filing

B) Brand identification

C) Manufacturing

D) Advertising license

2. What does the ® symbol represent?

A) Rejected mark

B) Registered trade mark

C) Refused trade name

D) Related product

3. A service mark is used for:

A) Goods

B) Services

C) Packaging

D) Labels

4. Trade mark is a type of:

A) Tangible property

B) Intellectual property

C) Personal property

D) Government property

5. The ISI mark is an example of a:

A) Service mark

B) Certification mark

C) Word mark

D) Collective mark

6. Sound marks are registered in India by: A) Submitting a printed document

B) Submitting a written tune

C) Submitting audio file

D) Providing a live demonstration

7. Use of a mark without authorization is:

A) Licensing

B) Passing off

C) Infringement

D) Compliance

8. Selling fake goods under a popular brand is:

A) Ethical marketing

B) Passing off

C) Licensing

D) E-commerce

9. One who misuses another's mark is known as:

A) Licensee

B) Infringer

C) Trademark agent

D) Registrar

10. What is the primary objective of industrial design protection?

A) Protecting trade secrets

B) Securing functional innovations

C) Safeguarding the aesthetic appearance of a product

D) Enforcing labor rights

11. Which of the following best describes a 'design' under the Designs Act, 2000? A) The functionality of a product

B) The artistic idea behind a product

C) The features of shape, configuration, pattern, or ornamentation applied to an article

D) The utility model of an invention

12. Which of the following is not covered under non-protectable designs in India? A)

Designs dictated solely by the function of the product

B) Designs involving mere mechanical contrivances

C) A logo used on packaging

D) Designs not significantly distinguishable from known designs

13. Which form is used to apply for design registration in India?

A. Form 1

B. Form 3

C. Form 7

D. Form 1A

14. Design registration in India is valid initially for how many years? A. 5

B. 10

C. 15

D. 20

15. In which office is a design registered in India?

A. Trademark Registry

B. Design Wing of the Patent Office, Kolkata

C. Ministry of Industry and Commerce

D. National Institute of Design

16. The Designs Act, 2000 came into effect to replace which older law?

A. The Design Protection Act, 1972

B. The Patents and Designs Act, 1911

C. The Industrial Designs Act, 1940

D. The Copyright Act, 1957

17. Which of the following conditions must be met for a design to be registered in India?

A. It must be purely functional

B. It must have been used in India for at least 2 years

C. It must be new and not previously published

D. It must resemble an existing registered design

18. Which of the following does a GI primarily protect?

A. The technical invention behind a product

B. The geographic origin and associated reputation of the product

C. The packaging design

D. The company logo

19. Which Indian GI is recognized internationally?

- A. Basmati Rice
- B. Darjeeling Tea
- C. Pochampally Ikat

D. All of the above

20. What is the term of protection for a registered GI in India?

- A. 5 years, renewable
- B. 10 years, non-renewable

C. 10 years, renewable

- D. Lifetime

21. Which authority administers GI registrations in India?

- A. Controller General of Patents, Designs and Trademarks

B. Registrar of Geographical Indications

- C. Ministry of Commerce and Industry
- D. Intellectual Property Appellate Board

22. Which of the following is NOT a class under which GI can be registered? A.

Agricultural products

- B. Handicrafts

C. Software products

- D. Manufactured goods

23. GI protection helps consumers by:

A. Ensuring product authenticity

- B. Reducing the product price
- C. Guaranteeing worldwide availability
- D. Providing patent rights

24. What happens if a person falsely uses a registered GI on goods not originating from the specified region?

A. They receive a warning letter only

B. It is considered an offense and can lead to legal action including fines and imprisonment

C. The GI registration is cancelled

D. No action is taken.

25. Which one of the following is not the case of Biopiracy ?

A. Turmeric(U S Patent no. 5401504).

B. Neem(EPO Patent No. 436257)

C. Basmati Rice(U S Patent No. 5663484)

D. **Ginger Cough (EPO Patent No. 539295)**

1. What is the primary purpose of a trademark?

A. To provide security to goods

B. To identify the geographical origin of goods

C. To distinguish the goods/services of one entity from another

D. To determine the quality of a product

Answer: C. To distinguish the goods/services of one entity from another

2. Which of the following is *not* a valid type of trademark?

A. Word mark

B. Sound mark

C. Smell mark

D. National mark

Answer: D. National mark

3. The duration of registration of a trademark in India is:

A. 5 years

B. 7 years

- C. 10 years
- D. 15 years

Answer: C. 10 years

4. Which of the following can be registered as a trademark in India?

- A. Generic names
- B. Deceptive words
- C. Invented words
- D. Scandalous matter

Answer: C. Invented words

5. In the case of trademark infringement, which of the following is *not* a remedy available to the trademark owner?

- A. Injunction
- B. Damages
- C. Criminal prosecution
- D. Patent registration

Answer: D. Patent registration

6. The term "Passing off" in trademark law refers to:

- A. Registration of the trademark
- B. Assignment of the trademark
- C. Misrepresentation that causes damage to the goodwill of another's trademark
- D. Exporting goods to other countries

Answer: C. Misrepresentation that causes damage to the goodwill of another's trademark

7. In the case of *Coca-Cola Company vs. Bisleri International Pvt. Ltd.*, the main issue involved was:

- A. Patent infringement
- B. Copyright violation

- C. Trademark infringement and passing off
- D. Design imitation

Answer: C. Trademark infringement and passing off

8. Which of the following is considered an offence under the Trademarks Act, 1999?

- A. Non-renewal of trademark
- B. Use of a generic name
- C. Falsifying a trademark
- D. Assigning a trademark

Answer: C. Falsifying a trademark

1. What is the primary objective of industrial design protection?

- A. To protect the technical functioning of a product
- B. To protect the artistic value of a product
- C. To protect the visual appearance of a product
- D. To protect brand names and logos

Answer: C. To protect the visual appearance of a product

2. The duration of protection for a registered industrial design in India is:

- A. 10 years, extendable by 5 more years
- B. 20 years with no extension
- C. 5 years, extendable up to 10 years
- D. 15 years, non-renewable

Answer: A. 10 years, extendable by 5 more years

3. Which of the following *cannot* be registered as an industrial design in India?

- A. Shape of a mobile phone
- B. 2D patterns applied to fabrics
- C. Functional features of a product
- D. Decorative aspects of furniture

Answer: C. Functional features of a product

4. Which of the following is *not* a criterion for design registration eligibility in India?

- A. Design must be new or original
- B. Design must be functional
- C. Design must be applied to an article
- D. Design must be visible in a finished article

Answer: B. Design must be functional

5. Under Indian law, a registered design may be cancelled on which of the following grounds?

- A. If it is not published
- B. If it is not functional
- C. If it is not new or original
- D. If it is not filed online

Answer: C. If it is not new or original

6. Industrial designs are classified internationally under:

- A. Berne Classification
- B. Hague Classification
- C. Locarno Classification
- D. Paris Classification

Answer: C. Locarno Classification

7. Which international treaty allows for the international registration of industrial designs?

- A. TRIPS Agreement
- B. Berne Convention
- C. Hague Agreement
- D. Madrid Protocol

Answer: C. Hague Agreement

8. The importance of registering an industrial design lies in:

- A. Gaining copyright protection
- B. Protecting aesthetic aspects and obtaining exclusive rights
- C. Gaining trademark protection
- D. Getting income tax exemptions

Answer: B. Protecting aesthetic aspects and obtaining exclusive rights

1. A Geographical Indication is used to identify goods:

- A. Based on quality certification
- B. With unique characteristics originating from a particular geographical region
- C. That are patented for global trade
- D. That are industrial designs

Answer: B. With unique characteristics originating from a particular geographical region

2. Which international agreement deals with the protection of GIs globally?

- A. Berne Convention
- B. TRIPS Agreement
- C. Paris Convention
- D. Hague Agreement

Answer: B. TRIPS Agreement

3. Basmati rice patent controversy involved:

- A. A U.S. company attempting to patent basmati rice
- B. Indian farmers patenting U.S. rice varieties
- C. A dispute between two Indian states over GI rights
- D. GI registration under Madrid Protocol

Answer: A. A U.S. company attempting to patent basmati rice

4. Which Indian organization handles GI promotion and awareness?

- A. National GI Board
- B. GI India Cell
- C. Quality Council of India
- D. Cell for IPR Promotion and Management (CIPAM)

Answer: D. Cell for IPR Promotion and Management (CIPAM)

5. In the case of the Neem Patent, the key issue was:

- A. Unauthorized patent of Indian agricultural knowledge by a foreign entity
- B. GI misregistration
- C. Design rights infringement
- D. Trademark confusion

Answer: A. Unauthorized patent of Indian agricultural knowledge by a foreign entity

6. Which of the following is part of the GI Ecosystem in India?

- A. Producers and artisans
- B. GI Registry and IPR organizations
- C. Government schemes promoting GI products
- D. All of the above

Answer: D. All of the above

7. Which of the following schemes supports GI registration and promotion in India?

- A. Make in India
- B. One District One Product (ODOP)
- C. Swachh Bharat Mission
- D. Startup India

Answer: B. One District One Product (ODOP)

8. Enforcement of GI rights can be ensured through:

- A. Criminal prosecution
- B. Civil suits and injunctions
- C. Administrative remedies
- D. All of the above

Answer: D. All of the above

9. Which organization is responsible for the registration of GIs in India?

- A. Indian Patent Office
- B. Controller General of Patents, Designs and Trademarks
- C. Intellectual Property Appellate Board
- D. Ministry of Commerce

Answer: B. Controller General of Patents, Designs and Trademarks

1. Which of the following best defines the principle of "distinctiveness" in trademark law?

- A. The mark must describe the characteristics of the product clearly.
- B. The mark must be able to identify the source of the goods or services.
- C. The mark must use common terms related to the product.
- D. The mark must be registered in at least two countries.

Answer: B. The mark must be able to identify the source of the goods or services.

2. Which of the following governs trademarks in India?

- A. The Patents Act, 1970
- B. The Trademarks Act, 1999
- C. The Copyright Act, 1957
- D. The Intellectual Property Act, 2005

Answer: B. The Trademarks Act, 1999

3. Which government office is responsible for administering trademark matters in India?

- A. Ministry of Commerce
- B. Reserve Bank of India
- C. Office of the CGPDTM
- D. Indian Trade Council

Answer: C. Office of the CGPDTM

4. What does the TM symbol represent?

- A. A registered trademark for services
- B. A certified brand mark
- C. An unregistered trademark used for promoting goods
- D. A government-approved patent

Answer: C. An unregistered trademark used for promoting goods

5. Which symbol indicates that a trademark or service mark is officially registered and legally owned?

- A. ™
- B. SM
- C. R
- D. ©

Answer: C. R

6. Which of the following forms must be filed for renewing a trademark in India?

- A. TM-A
- B. TM-P
- C. TM-C
- D. TM-R

Answer: D. TM-R

7. What is the time limit for the public to file an objection after a trademark is published in the official journal?

- A. 90 days
- B. 60 days
- C. 30 days
- D. 6 months

Answer: A. 90 days

8. When is the trademark registration certificate issued to the applicant?

- A. Immediately after filing the application
- B. After the objection period ends, regardless of objections
- C. After approval from the Supreme Court
- D. After successful completion of all formalities and no valid objections remain

Answer: D. After successful completion of all formalities and no valid objections remain

9. Which of the following best defines the term 'Design' under the law?

- A. Features of shape, configuration, pattern, ornament, or composition applied to an article
- B. A mode of construction for machines
- C. A blueprint for construction and engineering
- D. A technical drawing of mechanical equipment

Answer: A. Features of shape, configuration, pattern, ornament, or composition applied to an article

10. Which of the following is *not* included in the definition of 'Design'?

- A. A decorative pattern on a vase
- B. The ornamental shape of a bottle
- C. A two-dimensional artistic pattern on fabric
- D. A purely mechanical device

Answer: D. A purely mechanical device

11. What is the primary objective of registering an industrial design?

- A. To protect functional and mechanical features
- B. To prevent import of similar products
- C. To protect and encourage original creativity and artistic work
- D. To regulate trade and commerce

Answer: C. To protect and encourage original creativity and artistic work

12. Which Act governs the protection of Industrial Designs in India?

- A. The Trademarks Act, 1999
- B. The Designs Act, 2000
- C. The Patents Act, 1970
- D. The Copyright Act, 1957

Answer: B. the Designs Act, 2000

13. Which of the following is *not* a required characteristic for a design to be registered in India?

- A. It must be visible on a finished article
- B. It should be novel and original
- C. It must be patented before applying
- D. It should not be previously published or disclosed

Answer: C. It must be patented before applying

14. Which of the following Industrial Designs is NOT protectable under Indian law?

- A) A new textile pattern for clothing
- B) A country's national flag design
- C) A unique design of a household appliance
- D) A decorative design applied to furniture

Answer: B) A country's national flag design

Explanation: Industrial Designs including flags, emblems, or signs of any country are not protectable under Indian Industrial Design law as they are excluded from registration.

15. According to Indian law, which of the following is excluded from Industrial Design protection because it is covered under the Copyright Act, 1957?

- A) Dressmaking patterns
- B) Photographs and architectural works
- C) Greeting card designs
- D) Postcard designs

Answer: B) Photographs and architectural works

Explanation: Artistic works like photographs and architectural works are protected under the Copyright Act, 1957, and thus are not subject matter for Industrial Design registration.

16. Which of the following types of designs cannot be registered as Industrial Designs in India?

- A) Artistic sculptures

B) Integrated circuit designs

C) Calendar designs

D) Medal designs

Answer: B) Integrated circuit designs

Explanation: Industrial designs of integrated circuits are explicitly excluded from protection under the Designs Act, 2000.

17. Why is it important to protect the outer shape or design of a product?

A) Because it affects the product's functionality only

B) Because it makes the product more appealing and adds value

C) Because it reduces the cost of production

D) Because it helps to increase the product's weight

Answer: B) Because it makes the product more appealing and adds value

Explanation: The design or shape of a product enhances its aesthetic appeal and acts as a value adding factor. Protecting it ensures that the creator's innovation isn't used without permission.

18. From which date is the duration of a Design registration calculated when a priority date is claimed?

A) From the date of publication

B) From the date of application

C) From the date of registration

D) From the priority date

Answer: D) From the priority date

Explanation: When a priority date is claimed (usually from a prior application in a convention country), the design registration duration is calculated from that **priority date**.

19. What is one key benefit of Design registration for the owner?

- A) It allows anyone to use the design freely
- B) It limits the owner's ability to market the product
- C) It helps prevent piracy and imitation of the design
- D) It makes the design expire after 5 years

Answer: C) It helps prevent piracy and imitation of the design

Explanation: Design registration grants **exclusive rights** to the owner, allowing them to stop others from copying or imitating the registered design, thus protecting their market position and boosting sales.

20. Which of the following best explains why products like Dhaka Muslin and China Silk qualify for Geographical Indication (GI) protection?

- A) They are luxury goods sold globally at premium prices
- B) They were once traded by colonial powers across continents
- C) They possess unique qualities and reputations directly linked to their specific geographical origin
- D) They have been patented by traditional artisans in those regions

Answer: C) They possess unique qualities and reputations directly linked to their specific geographical origin

Explanation: GI protection is granted to products whose **distinctiveness is rooted in their geographical origin**, including traditional know-how and reputation.

21. Why did historical trade activities, such as Columbus sailing for Indian spices or British importing Arabian horses, contribute to the concept of Geographical Indications?

- A) They promoted global colonization and expansion
- B) They created markets for exotic goods unrelated to geography
- C) They highlighted the unique value and reputation of products tied to specific locations, leading to the modern concept of GI
- D) They ensured monopolies on trade routes and resources

Answer: C) They highlighted the unique value and reputation of products tied to specific locations, leading to the modern concept of GI

Explanation: These trade patterns demonstrated how **geographical origin added commercial value** to certain products, reinforcing the idea that origin-based reputation matters a foundational concept in GIs.

22. Which of the following scenarios would NOT be eligible for registration under the Geographical Indications of Goods (Registration & Protection) Act, 1999 in India?

- A) A unique type of coffee grown exclusively in the hills of a specific Indian state with distinctive flavor
- B) A cooperative society applying to register a traditional handloom technique passed down over generations
- C) An individual entrepreneur seeking GI registration for a product he invented and manufactures in a factory
- D) A state government applying for GI for a traditional tribal artwork indigenous to its region

Answer: C) An individual entrepreneur seeking GI registration for a product he invented and manufactures in a factory

Explanation: GI protection applies to goods with **qualities linked to a specific geographical location and produced by a community or group**. An individual's invented product manufactured in a factory without geographic linkage doesn't qualify.

23. Which of the following best reflects the reason for introducing GI protection in India under the 1999 Act?

- A) To extend trademark protection to all goods
- B) To promote foreign direct investment in agriculture
- C) To protect traditional knowledge and regional products from misuse and ensure exclusive rights to local producers
- D) To enable patenting of traditional and agricultural products

Answer: C) To protect traditional knowledge and regional products from misuse and ensure exclusive rights to local producers

Explanation: The primary aim of the **GI Act, 1999** is to **safeguard the economic and cultural interests** of communities producing **region-specific goods**, by granting them **exclusive rights** and **preventing unauthorized use**.

24. Which of the following conditions must be satisfied for a license or assignment of a Geographical Indication (GI) to be legally valid in India?

- A) It must be signed by the licensee in the presence of a magistrate
- B) It must be executed verbally with community witnesses
- C) It must be in writing and registered with the Registrar of GI
- D) It must be notarized and approved by the Patent Office

Answer: C) It must be in writing and registered with the Registrar of GI

Explanation: For a GI license or assignment to be **legally valid**, it must be **executed in writing and registered with the Registrar of Geographical Indications** under the law. Verbal or informal arrangements are not enforceable.

25. Which of the following best illustrates the scope of legal action that a GI holder or authorized user can take under the GI Act in India?

- A) File for criminal prosecution of the consumer using the GI-marked product
- B) Sue for infringement if someone uses the GI without permission, even if the product is similar in quality
- C) Demand the cancellation of any trademark registered in the same class of goods
- D) Sue for breach of patent rights over the production process of the product

Answer: B) Sue for infringement if someone uses the GI without permission, even if the product is similar in quality

Explanation: GI holders have the **exclusive right to use the registered GI** and may **initiate legal action against any person who uses it without consent, regardless of product quality or similarity**, since **origin and authenticity are crucial under GI law**.

26. Which of the following scenarios would most likely render a design ineligible for registration under the Design Act?

A. A design that combines two previously registered designs into a new visual form, creating a significantly different aesthetic appeal.

B. A design that has never been registered but was displayed at a public exhibition six months before filing for registration.

C. A design that is completely original and has never been disclosed but resembles general trends in the industry.

D. A design that was used internally within a company but was never shown to the public before filing for registration.

Answer: B

Explanation:

Option **B** describes a design that was **publicly disclosed** before filing through an **exhibition**, which violates the **novelty requirement**. Even without registration, **prior public disclosure** invalidates eligibility.