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Bengaluru

Mid Term Examinations - October 2026

Date: 07/10/2026 **Time:** 11:45 AM - 01:15 PM

Course Code: LAW4087 **Course Name:** Trade Mark and Design

Semester: Seventh Semester **Max. Marks:** 50 **Weightage:** 50%

CO - Levels	CO1	CO2
Marks	30	60

PART A: Answer Following Questions. 10 M

Q.N.	Questions	M	CO	BT
1	What is meant by 'acquired distinctiveness'?	2	CO1	BT1
2	State the meaning of 'trademark' as understood under trademark law.	2	CO1	BT1
3	Mention any two conventional trademarks with examples.	2	CO1	BT1
4	Explain the main functions of trademark	2	CO1	BT1
5	when a descriptive mark can qualify to be registered?	2	CO1	BT1

PART B : Answer Any 1 Following Questions. 10 M

Q.N.	Questions	M	CO	BT
6	iscuss the legal recognition of smell marks in India with reference to the *Sumitomo Rubber Industries Ltd.* trademark application (No. 5860303 /2025) for “Floral Fragrance / Smell Reminiscent of Roses as Applied to Tyres”. Examine the legal issues involved in seeking registration of a smell mark under the Trade Marks Act, 1999.	10	CO2	BT3
7	Discuss the concept of acquired distinctiveness (secondary meaning) and its significance in trademark registration.	10	CO1	BT2

PART C: Answer Any 1 Following Questions. 10 M

Q.N.	Questions	M	CO	BT
8	Analyse the 'absolute grounds for refusal' of trademark registration with the help of relevant statutory provisions and illustrations.	10	CO2	BT2
9	Analyse the 'relative grounds for refusal' of trademark registration and explain how they differ from absolute grounds.	10	CO1	BT2

PART D: Answer Any 1 Following Questions. 10 M

Q.N.	Questions	M	CO	BT
10	Discuss the evolution of the law relating to marks/proprietary marks and the need for protection of trademarks.	10	CO2	BT2
11	Discuss the various categories of trademarks and explain the difference between conventional and non-conventional trademarks.	10	CO2	BT2

PART E: Answer Any 1 Following Questions. 10 M

Q.N.	Questions	M	CO	BT
12	Critically evaluate the functions of a trademark in a competitive market and assess their continuing relevance in the digital economy.	10	CO2	BT2
13	Discuss *Elliott v. Google, Inc.*, 860 F.3d 1151 (9th Cir. 2017), in the context of trademark genericide. Explain why the use of “Google” as a verb did not, by itself, make the trademark generic.	10	CO2	BT2