

Roll No. _____

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TRADE MARKS AGENT EXAMINATION, 2026

[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 the 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. **Which Supreme Court case clarified that to claim protection as a 'well-known Trade Marks' under the Trade Marks Act, 1999, the owner must prove trans-border reputation within India and not merely global reputation?**
 - a) *Toyota Jidosha Kabushiki Kaisha v. M/S Prius Auto Industries Ltd.*
 - b) *N.R. Dongre v. Whirlpool Corporation*
 - c) *Yahoo Inc. v. AkashArora*
 - d) *Daimler Benz v. Hybo Hindustan*
2. **In which context did the Supreme Court in "*Hardie Trading Ltd. v. Addisons Paint & Chemicals Ltd.*" interpret Section 25 of the Trade Marks Act, 1999?**
 - a) Rectification of the Register
 - b) Renewal of Trade Marks
 - c) Protection of well-known marks
 - d) Assignment and Transmission

3. **Which doctrine was strengthened by the ruling in *Daimler Benz v. Hybo Hindustan*?**
- a) Doctrine of comparative advertising
 - b) Doctrine of estoppel by acquiescence
 - c) Doctrine of Trade Marks dilution and trans-border reputation for well-known marks
 - d) Doctrine of honest concurrent use
4. **Which of the following mark is not included in the list of prohibited trade mark?**
- a) NCL
 - b) DNC
 - c) NIC
 - d) NPL
5. **Which Section of the Trade Marks Act gives the Registrar suo-motu power for rectification?**
- a) Section 57(1)
 - b) Section 57(2)
 - c) Section 57(3)
 - d) Section 57(4)
6. **Which of the following provisions of the Trade Marks Act, 1999 shall apply to certification Trade Marks:**
- a) Section 9(1)(a) of the Trade Marks Act, 1999
 - b) Section 9(1)(b) of the Trade Marks Act, 1999
 - c) Section 9(1)(c) of the Trade Marks Act, 1999
 - d) Section 9(2)(a) of the Trade Marks Act, 1999

Choose the correct answer from the options given below:

- a) A and C only
 - b) A and D only
 - c) B and D only
 - d) All the above
7. **Under the Trade Marks Act, 1999, Estoppel by acquiescence primarily arises when:**
- a) A registered proprietor delays filing a renewal application.
 - b) A registered proprietor knowingly allows another party to use a similar mark without objection for a period of five years.
 - c) A registered proprietor files multiple oppositions simultaneously.
 - d) A registered proprietor licenses the mark without agreement.

Choose the correct answer from the options given below:

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

- 8. Under Section 10(1), if a Trade Marks is registered without limitation of colour, it shall be deemed to be registered:**
- Only for Black and White
 - For the colour used at the time of application
 - Only for the colour claimed during examination
 - For all colours
- 9. Which case established that registration does not confer monopoly over descriptive or common words, even if part of a registered mark?**
- South India Beverages v. General Mills
 - Marico Ltd. v. Agro Tech Foods Ltd.
 - Yatra Online Limited v. Mach Conferences and Events Limited (2025)
 - ITC Limited v. Nestle India Limited (2020)
- 10. The right to oppose registration of a trade mark under Section 21 may be exercised by:**
- Only a registered proprietor
 - Only a prior user
 - Any person
 - Only an aggrieved person
- 11. The Controller-General of Patents, Designs and Trade Marks, who shall be the Registrar of Trade Marks for the purposes of Trade Marks Act, 1999, Appointed under which Section of Trade Marks Act?**
- Section 3(1)
 - Section 3(2)
 - Section 5(2)
 - Section 6(1)

12. Match the following Geographical Indications with concerned of GI tags:

Column – I	:	Column II
A. Pokaran Pottery	:	i. Tamil Nadu
B. Panruti Cashew	:	ii. Rajasthan
C. Pawndum	:	iii. Maharashtra
D. Puneri Pagadi	:	iv. Mizoram

Choose the correct answer from the options given below:

- A: ii, B: iii, C: iv, D: i
- A: iv, B: ii, C: iii, D: i
- A: ii, B:i, C:iv, D: iii
- A: iv, B: i, C: ii, D: iii

13. Which of the following remedy or remedies is /are available to the Opponent if the opposition was abandoned under rule 45(2) of Trade Marks Rules, 2017?

- a) Can file a rectification before the Registrar
- b) Can file a rectification before the High Court
- c) Can File an another Opposition under Section 21
- d) Can file a Petition for condone of delay before the Registrar

Choose the correct answer from the options given below:

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

14. A proprietor loses the basic mark in India due to non-renewal in 4th year. The International registration:

- a) Continues unaffected
- b) Gets cancelled in entirety
- c) Gets affected only for India
- d) Gets suspended

15. Under the Madrid Protocol, the set of rules governing procedural aspects are called:

- a) TRIPS Rules
- b) Geneva Rules
- c) Common Regulations
- d) Indian Madrid Rules

16. An International registration received from WIPO is accepted and advertised in India and no opposition is filed within 4 months. A third party later realizes conflict of interest in the said mark. What is the remedy available for him/her?

- a) File opposition late with extra fee
- b) Request extension from WIPO
- c) Request extension from TMR India
- d) File cancellation after grant of protection

17. Applicant writes to WIPO requesting his International registration matters in India be expedited at the examination stage.

- a) India must comply
- b) WIPO must forward the request
- c) No expedited mechanism for International registration matters in India
- d) TMR may expedite it, if fee is paid to WIPO

- 18. A renewal request is filed by the registered holder for his International registration at WIPO but fails to inform the same to India/ TMR which is one of the designated contracting parties, it would amount to**
- a) India requires separate renewal
 - b) Renewal automatically applies to India
 - c) India cancels protection
 - d) Applicant must renew in India within 1 year
- 19. International registration is protected in India, But Holder expires and there is no request filed at WIPO for changing the holder details. The legal heirs of the holder filed request for assignment directly in India.**
- a) India accepts the request for assignment
 - b) India converts mark to national registration
 - c) India processes the request and informs WIPO
 - d) India rejects; must update at WIPO first
- 20. Which of the following *CANNOT* be a proprietor of a certification trade mark as per Trade Marks Act, 1999?**
- a) A government body
 - b) An individual
 - c) A statutory authority
 - d) An association competent to certify quality
- 21. A certification mark may be removed from the register for the reason that the proprietor is no longer competent to certify those goods/ services under—**
- a) Section 57
 - b) Section 69
 - c) Section 77
 - d) Section 75
- 22. Collective Trade Mark is defined under section _____ of Trade Marks act, 1999.**
- a) 2(1)(e)
 - b) 2(1)(f)
 - c) 2(1)(g)
 - d) 2(1)(h)
- 23. Under the Trade Marks Rules, 2017, which of the following matters is specifically dealt with in Rule 31?**
- a) Precise specification of goods and services
 - b) Deficiencies
 - c) Expedited applications
 - d) None of the above

- 24. Under the Trade Marks Act, 1999 and Trade Marks Rules, 2017, Section 23(3) and Rule 52 specifically deal with**
- a) Notice of Non completion of registration
 - b) Affidavit in support of Application
 - c) Notice of deficiencies
 - d) None of the above
- 25. An office known as the Trade Marks Registry has been established under which section of the Trade Marks Act, 1999 to provide for registration and better protection of Trade Marks for goods and services?**
- a) Section 5(1)
 - b) Section 6(1)
 - c) Section 5(2)
 - d) Section 7(1)
- 26. Under the Vienna Agreement (Tenth Edition), Category 22 of the International Classification of the Figurative Elements of Marks deals with:**
- a) Musical instruments and their accessories, music accessories, bells, pictures, sculptures
 - b) Machinery, motors, engines
 - c) Arms, ammunition, armour
 - d) Ornamental motifs, surfaces or backgrounds with ornaments
- 27. India joined these treaties to streamline Trade Marks and industrial design registration processes globally, aiding brand owners in 2019. Choose the correct treaties**
- a) Nice, Vienna, Madrid Protocol and agreement
 - b) Nice, Vienna, and Locarno Agreements
 - c) Nice, Vienna and New Treaty on Genetic Resources
 - d) Nice, Vienna and new Paris convention Agreements
- 28. For cancellation of Trade Marks for one of the designated contracting party (partial cancellation), holder of international registration may file application to WIPO by using __ form**
- a) MM 5
 - b) MM 8
 - c) MM 6
 - d) MM 9
- 29. As of 31st March 2025, the total number of products in India that had been granted Geographical Indication (GI) tags is:**
- a) 370
 - b) 624
 - c) 475
 - d) 697

30. Which of the following is a CORRECT consequence of registration?

- a) registration guarantees immunity from cancellation
- b) Registration allows only the owner to oppose other marks
- c) Registration enables statutory remedies for infringement
- d) Registration ensures the mark is non-descriptive

Choose the correct answer from the options given below:

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

31. Which one of the following FORM shall be filed by the registered proprietor to cancel his/her registered trade mark from the register?

- a) Form TM-M
- b) Form TM-P
- c) Form TM-R
- d) Form TM-U

32. Find out the appropriate class as per NICE classification for the goods ‘make-up brush’?

- a) Class 3 of NICE classification
- b) Class 16 of NICE classification
- c) Class 21 of NICE classification
- d) Class 22 of NICE classification

33. Match the following as per NICE classification:

- | | | |
|---------------|---|-------------------------------|
| Column – I | : | Column II |
| A. Class – 01 | : | i. Car deodorants |
| B. Class – 02 | : | ii. Chemical chimney cleaners |
| C. Class – 03 | : | iii. Primer thinners |
| D. Class – 05 | : | iv. Sandpaper |

Choose the correct answer from the options given below:

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

34. If two Trade Marks are nearly identical and are registered by different proprietors, what does Section 28(3) of the Trade Marks Act provide

- a) Only the first-registered mark has exclusive rights

- b) Both proprietors retain rights against third parties
- c) The marks are invalid
- d) Only the larger company can enforce the mark

35. Which one of the following is NOT a relative ground of refusal of trade mark

- a) Similar or identical trade mark for identical goods/ services.
- b) Use of trade mark is prevented by virtue of copyright or passing off
- c) Both (a) and (b)
- d) Prohibited under the Emblems and Names (Prevention of Improper Use) Act, 1950

36. According to the Geographical Indications of Goods (Registration and Protection) Act 1999, who is an authorized user?

- a) who is a producer of the (registered) geographical indication, not registered under GI Act
- b) who is a trader of the (registered) geographical indication and registered with the Geographical Indications Registry.
- c) who is a producer of the (registered) geographical indication and registered with Department of Agriculture.
- d) who is a manufacturer of the (registered) geographical indication and registered with small scale industries.

37. The RG-3 notice is associated with which provision of the Trade Marks Act, 1999?

- a) Section 18 (2)
- b) Section 25 (3)
- c) Section 40 (1)
- d) Section 57 (2)

38. Under which provision of the Trade Marks Act, 1999 is the registration of a trade mark kept in abeyance when an opposition to the application is pending?

- a) Sec. 20
- b) Sec. 21
- c) Sec. 23
- d) Sec. 28

39. In a suit for infringement of a trade mark, which provision of the Trade Marks Act, 1999 allows the plaintiff to institute the suit at the place where the plaintiff resides or carries on business, notwithstanding the defendant's place of residence?

- a) Sec. 134(2)
- b) Sec. 133(1)
- c) Sec. 29(1)
- d) Sec. 142

40. Under which provision of the Trade Marks Act, 1999 the Registrar require a disclaimer of exclusive rights in the descriptive or non-distinctive part of a registered trade mark?

- a) Sec. 9(1)

- b) Sec. 17(1)
- c) Sec. 17(2)
- d) Sec. 23

41. which provision of the Trade Marks Act, 1999 deals with use of trade mark for export trade and use when form of trade connections changes

- a) Sec. 55
- b) Sec. 56
- c) Sec. 57
- d) Sec. 58

42. Under which provision of the Trade Marks Rules, 2017, can the Registrar require an applicant to provide the translation or transliteration of a trade mark which contains language other than Hindi or English?

- a) Rule 30
- b) Rule 28
- c) Rule 18
- d) Rule 31

43. Which of the following *CANNOT* be protected under the Geographical Indications (GI) Act in India?

- a) A specific variety of tea produced in particular region
- b) A distinctive type of fabric woven in particular region
- c) A naturally occurring mineral water sourced from a specific river
- d) A specific variant of mango that is sold worldwide but is not linked to any particular region

44. The protection granted by a Geographical Indications (GI) tag under the Geographical Indications of Goods (Registration and Protection) Act, 1999 does not automatically cover:

- a) The reputation of the region
- b) Exclusive rights to the name or symbol used in marketing
- c) The technique of production or craftsmanship
- d) The protection from misuse by non-local producers

45. Under the Geographical Indications of Goods (Registration and Protection) (Amendment) Rules, 2025, which revised fee applies to a multi-class GI application (per class)?

- a) ₹ 5,000 for first class, ₹ 2,500 for each additional class.
- b) ₹ 1,000 per class
- c) Flat ₹ 2,000 irrespective of number of classes
- d) ₹ 500 per class

46. Under which provision of the Trade Marks Act 1999 is the classification of goods and services for registration purposes mandated?

- a) Section 7 of Trade Marks Act

- b) Rule 21 of TM Rules, 2017
- c) Section 18 of Trade Marks Act
- d) Rule 23 of TM Rules, 2017

47. What is the fee for renewal under section 18(1) of the registration of a geographical indication at the expiration of the last registration as per the Geographical Indications of Goods (Registration and Protection) (Amendment) Rules, 2025?

- a) Rs. 10/-
- b) Rs. 100/-
- c) Rs. 300/-
- d) Rs. 500/-

48. Which of the following Statement is TRUE regarding Counter Statement?

- a) A Counter Statement shall be filed within four months from receipt of the Notice of Opposition.
- b) The Counter Statement must be accompanied by evidence in support of the applicant's claim.
- c) The applicant can file the Counter Statement only after receiving a hearing notice from the Registrar.
- d) A Counter Statement shall be filed within two months from receipt of the Notice of Opposition.

Choose the correct answer from the options given below:

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

49. As per provision of section 39 of the Trade Marks Act, 1999 An unregistered Trade Marks may be:

- a) Assigned with or without the goodwill
- b) Assigned only without goodwill
- c) Assigned with goodwill
- d) Not assigned at all

50. In the case of *Cadila Health Care Ltd. v. Cadila Pharmaceuticals Ltd* what are the factors to be considered for Deceptive Similarity?

- a) Nature of the marks
- b) Degree of resemblance
- c) Nature of the goods
- d) All of the above

51. What is the application form for the rectification of the register in Part B for the removal of an authorised user under Geographical Indications of Goods (Registration and Protection) Act, 1999

- a) GI-1

- b) GI-2
- c) GI-3
- d) GI-5

52. Which Indian state has received the Geographical Indication (GI) tag for Bhalia Wheat?

- a) Maharashtra
- b) Gujarat
- c) Rajasthan
- d) Uttar Pradesh

53. What is the 'Consultative Group' in relation to registration of Geographical Indications in India?

- a) a group that shall ordinarily be constituted by the Registrar of Geographical Indications
- b) a group that shall ordinarily be constituted by current central government
- c) a group that shall ordinarily be constituted by producers of the product
- d) a group that shall ordinarily be constituted by high courts

54. Which category of Trade Marks is an exception to the general rule that Trade Marks have no direct relationship with the qualities of goods?

- a) Collective Trade Marks
- b) Certification Trade Marks
- c) Well-known Trade Marks
- d) Service marks

55. Which of the following best explains the relationship between geographical indications (GIs) and traditional knowledge (TK) / traditional cultural expressions (TCEs)?

- a) GIs provide direct and exclusive IP protection to TK and TCEs
- b) GIs substitute conventional IP protection for TK and TCEs
- c) GIs do not directly protect TK or TCEs but may indirectly contribute to their preservation
- d) GIs automatically convert TK and TCEs into private intellectual property

56. A UK-registered company wishes to file an international trade mark application under the Madrid System. Which of the following statements is correct regarding India as the country of origin?

- a) A UK applicant can directly use India as the Office of Origin because India is a member of the Madrid Protocol.
- b) A UK applicant cannot use India as the Office of Origin, even if they have a real and effective establishment in India.
- c) A UK applicant may use India as the Office of Origin only if the mark is already registered or applied in India and they have a real and effective establishment there.
- d) None of the above.

57. Which of the following match is Correct as per NICE classification:

- | Column – I | : | Column II |
|---------------|---|---|
| A. Class – 07 | : | i. industrial robots and security surveillance robots |
| B. Class – 09 | : | ii. laboratory robots and teaching robots |
| C. Class – 10 | : | iii. surgical robots and laboratory robots |
| D. Class – 28 | : | iv. security surveillance robots and toy robots |

Choose the correct answer from the options given below:

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

58. Which of the following match is NOT Correct as per NICE classification:

- | Column – I | : | Column II |
|---------------|---|--|
| A. Class – 29 | : | i. Coffee beverages with milk |
| B. Class – 30 | : | ii. high-protein cereal bars |
| C. Class – 32 | : | iii. Non-alcoholic beverages flavoured with coffee |
| D. Class – 33 | : | iv. Alcoholic beverages flavoured with coffee |

Choose the correct answer from the options given below:

- a) A only
- b) B only
- c) A and B only
- d) None of the Above

59. The Trade Marks Registry in India is under the administrative control of which Department of the Government of India?

- a) Department for Promotion of Industry and Internal Trade
- b) Department of Finance
- c) Department of IP
- d) Department of Corporate Affairs

60. Which section of the Trade Marks Act, 1999 defines the term “transmission”?

- a) Section 2(1)(za)
- b) Section 2(1)(zb)
- c) Section 2(1)(zc)
- d) Section 2(1)(zd)

61. The case *Imperial Tobacco Co. v. Registrar of Trade Marks* primarily deals with which principle?

- a) Principle of Non-Functionality
- b) Principle of Use-Based Rights
- c) Inherent distinctiveness requirement
- d) Dilution of Trade Marks

62. The right of a registered user of a trade mark shall not be deemed to have been assigned or transmitted within the meaning of this section of Trade Marks Act, 1999.

- a) Section 40
- b) Section 44
- c) Section 50
- d) Section 54

63. What is the subject matter of Section 68 of the Trade Marks Act, 1999?

- a) Application to be accompanied by regulations governing use of collective marks.
- b) Infringement proceedings by registered proprietor of collective mark
- c) Additional grounds for removal of registration of collective mark
- d) Registration of certification Trade Marks

64. Match the following Geographical Indications with concerned category of GI tags:

Column – I	:	Column II
A. KachchhiKharek	:	i. Handicraft
B. Kutch Ajrakh	:	ii. Manufactured
C. Judima	:	iii. Food Stuff
D. OotyVarkey	:	iv. Agricultural

Choose the correct answer from the options given below:

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

65. On application under rule 34 for EXPEDITED PROCESS of an application for the registration of a Trade Marks (i.e. other than individual/start-up/small enterprise) is Rs.....?

- a) Rs. 20000/-
- b) Rs. 18000/-
- c) Rs. 25000/-
- d) Rs. 40000/-

66. Which Indian state has received the Geographical Indication (GI) tag for *Tirur betel leaf* (Tirur Vettila)?

- a) Tamil Nadu
- b) Karnataka
- c) Kerala
- d) Maharashtra

67. Which Trade Marks Registry office has territorial jurisdiction for Trade Marks applications filed by applicants located in the Andaman and Nicobar Islands?

- a) Trade Marks Registry, New Delhi
- b) Trade Marks Registry, Chennai

- c) Trade Marks Registry, Kolkata
- d) Trade Marks Registry, Mumbai

68. Under Section 22 of the Trade Marks Act, 1999, the Registrar may permit the correction or amendment of a Trade Marks application at any time:

- a) Only before examination is complete
- b) Before or after acceptance but before registration
- c) Only after opposition is decided
- d) Only after registration

69. Which of the following situations DOES NOT constitute infringement of a registered trade mark under Indian law?

- a) Use of the mark in the course of trade on similar goods without permission
- b) Use of a registered trade mark to indicate the kind, quality, geographical origin, time of production of goods or services
- c) Use of the registered mark in advertising without authorization by the owner
- d) Use of a registered mark by a non-authorized person in relation to similar goods or services likely to cause confusion

70. Under which section of the Trade Marks Act, 1999 are certified copies / legal proceeding certificates admissible as evidence without further proof?

- a) Section 120
- b) Section 125
- c) Section 137
- d) Section 159

71. Which one of the following matches are correct 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 Amendment in trade mark

Choose the correct answer from the options given below:

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

72. Which of the following situations is expressly restricted under the Trade Marks Act, 1999?

- a) Assignment of Trade Marks with goodwill
- b) Assignment without goodwill
- c) Assignment creating exclusive rights in different parts of India
- d) Transmission by operation of law

73. Under the Trade Marks Rules, 2017, the total number of prescribed forms is?

- a) 5
- b) 8
- c) 12
- d) 21

74. Under which section of the Trade Marks act, 1999 confers the power to the Registrar to accept the application subject to any amendments or modifications of the application or impose any conditions or limitations, if any, as he may think fit?

- a) Section 18 (1)
- b) Section 18 (2)
- c) Section 18 (3)
- d) Section 18 (4)

75. If a registered user uses the trade mark for goods outside the scope of his registered-user entry, the use is:

- a) Still considered “permitted use” as long as quality is maintained.
- b) Not considered “permitted use” because it exceeds registered scope.
- c) Automatically authorized.
- d) Valid if the proprietor gives oral permission.

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

- a) LORD BUDDHA
- b) LORD VENKATESWARA
- c) LORD GANESH
- d) THE HOLY MOTHER

Choose the correct answer from the options given below:

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

77. Which of the following statements is NOT 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, B and C only
- b) A, C and D only
- c) B, C and D only
- d) All the above

78. Which of the following statements are not correct regarding Form TM-G under the Trade Marks Act, 1999?

- a) It is used to become a registered Trade Mark Agent
- b) It is filed before the Registrar
- c) It is used as a power of attorney for an agent to act for an applicant
- d) It requires payment of prescribed fees

79. A Trade Marks application is objected on the ground that the mark hurts religious susceptibilities of a section of Indian citizens. Which statement is most legally accurate under Section 9(2) (b) of the Trade Marks Act, 1999?

- a) The mark must offend all religious groups in India to be refused.
- b) The applicant's intention to offend is a necessary element.
- c) The likelihood of hurting sentiments of any class or section of citizens is sufficient.
- d) The refusal applies only if the mark is also scandalous or obscene.

80. Which case laid down the test for deceptive similarity between Trade Marks?

- a) Corn Products Refining Co. v. Shangrila Food Products
- b) Parle Products v. J.P. & Co.
- c) Amritdhara Pharmacy v. Satya Deo Gupta
- d) All of the above

81. Which case established that domain names are entitled to Trade Marks protection?

- a) Yahoo Inc. v. Akash Arora
- b) Satyam Infoway Ltd. v. Sifynet Solutions Pvt. Ltd.
- c) Rediff Communication Ltd. v. Cyberbooth
- d) Bata India Ltd. v. Pyare Lal & Co.

Choose the correct answer:

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

82. Which section of the Geographical Indications of Goods (Registration and Protection) Act, 1999, was omitted by the Jan Vishwas Act, 2023?

- a) Section 40

- b) Section 41
- c) Section 42
- d) Section 43

83. In *Daimler Benz AG v. Hybo Hindustan*, the court held that:

- a) Common words cannot be Trade Marks
- b) Well-known Trade Marks deserve highest protection
- c) Registration is mandatory for infringement
- d) Passing off requires proof of actual damage

84. An association of handloom weavers (not being a partnership under the Indian Partnership Act, 1932) registers a collective mark to distinguish the goods of its members. One of the members is expelled from the association for violating quality standards but continues to use the mark on his products. Which of the following statements correctly reflects the legal status of his use?

- a) His use is valid because he was originally a member when the mark was registered
- b) His use is invalid because a collective mark can only be used by current members of the association that owns the mark
- c) His use is valid as long as the goods are similar to those produced by current members.
- d) His use is valid if the expelled member had contributed to the creation of the collective mark.

85. A trade mark qualifies as a well-known trade mark when:

- a) It is known to every consumer in the country.
- b) It is known to a substantial segment of the public that uses the relevant goods/services; such that use of unrelated goods/services would suggest a trade connection.
- c) It has been registered for more than 10 years
- d) It has been advertised extensively across media.

86. A Trade mark is objected under Section 9(1) (b) of the Trade Marks Act, 1999. However, the applicant argues that consumers now directly associate the mark with his goods due to long use. Which is correct?

- a) The mark must still be refused even if it has acquired distinctiveness.
- b) If acquired distinctiveness is proven before the application date, registration cannot be refused.
- c) The mark becomes registrable only after 10 years of use.
- d) Acquired distinctiveness is irrelevant to absolute grounds.

87. A mark shall be refused under Section 9(1) (c) of the Trade Marks Act, 1999. if:

- a) It is only partially descriptive
- b) Only part of the relevant public fails to identify the origin.
- c) It consists exclusively of the marks or indications which have become customary in the current language.
- d) It may mislead the public about origin.

88. Which case held that rectification proceedings are independent and distinct from infringement proceedings?

- a) Patel Field Marshal Agencies v. P.M. Diesels Ltd.
- b) Cadila Health Care Ltd. v. Cadila Pharmaceuticals Ltd.
- c) Whirlpool Corporation v. N.R. Dongre
- d) Satyam Infoway Ltd. v. Sifynet Solutions

89. Who bears the burden of proof in non-use rectification proceedings?

- a) Registrar
- b) Registered proprietor
- c) Applicant for rectification
- d) Both parties equally

90. Which case held that any person can file an opposition even without being a registered proprietor?

- a) Cadila Health Care Ltd. v. Cadila Pharmaceuticals Ltd.
- b) P.N. Mayor v. Registrar of Trade Marks.
- c) Mahendra & Mahendra Paper Mills Ltd. v. Mahindra & Mahindra Ltd.
- d) Amritdhara Pharmacy v. Satya Deo Gupta

91. According to Section 43, assignment of a certification Trade Marks is valid only when:

- a) It is published in the Trade Marks Journal
- b) It is registered internationally
- c) Consent of the Registrar of Trade Marks is obtained
- d) Goodwill is transferred

92. Which of the following is an example of transmission?

- a) Sale of Trade Marks
- b) Gift of Trade Marks
- c) Inheritance on death of proprietor
- d) Assignment with goodwill

93. Which rule of the Trade Marks Rules, 2017 deals with Renewal of registration of a Trade Mark?

- a) Rule 56
- b) Rule 57
- c) Rule 58
- d) Rule 59

94. Which of the following statements are NOT correct regarding Renewal of a Trade Mark Agent under the Trade Marks Act, 1999?

- a) Renewal application must be filed before the Registrar of Trade Marks
- b) Failure to renew may result in removal of name from the Register
- c) Renewal of a Trade Mark Agent is governed under Section 145 of the Act.

Choose the correct answer from the options given below:

- a) A and B only
- b) B and C only
- c) C only
- d) All of the Above

95. A trade mark application is objected under Section 11(1) of the Trade Marks Act, 1999 on the ground of similarity with an earlier mark. Which of the following interpretations is most legally accurate?

- a) Identity of goods alone is sufficient to refuse registration.
- b) Similarity of the marks alone automatically results in refusal.
- c) Likelihood of association with the earlier trade mark forms part of likelihood of confusion.
- d) Confusion must be shown among expert or professional buyers only.

96. A mark containing a national emblem is sought to be registered after obtaining consent from the proprietor of an earlier similar mark. Registration must still be refused because:

- a) Consent cures all defects.
- b) Section 12 overrides Section 9
- c) Prohibition under the Emblems and Names Act is absolute.
- d) Consent is irrelevant only at opposition stage.

97. A legal order that allows a plaintiff to enter a defendant's premises without prior notice to search for and preserve evidence of intellectual property infringement is known as:

- a) Mareva Injunction
- b) Anton Pillar Order
- c) John Doe Order
- d) Plea Bargaining

98. Under the Trade Marks Rules, 2017, what fee is payable for filing an application to obtain an expedited search certificate?

- a) Rs. 10000
- b) Rs. 20000
- c) Rs. 30000
- d) Rs. 40000

99. A company has been using the brand "Aurora" for 3 years without registration. Another company attempts to register the same mark. The original user can:

- a) File for infringement suit under Section 29.
- b) file passing off suit
- c) Claim automatic registration rights
- d) Apply for cancellation of the new registration after 10 years

100. The provision contained in Section 29(4) of the Trade Marks Act, 1999 corresponds to which of the following concepts of trade mark law?

- a) Passing off
- b) Trade Marks dilution
- c) Honest concurrent user
- d) Secondary meaning

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