A. MULTIPLE CHOICE QUESTIONS
CHOOSE THE CORRECT ANSWER [1X10]

1. Trademark can be used as domain name
   (a) Yes
   (b) No
   (c) Yes in some cases
   (d) None of the above

2. Who administer UDRP?
   (a) WTO
   (b) WIPO
   (c) Supreme Court
   (d) High court

3. Geographical Indication is
   (a) Private right
   (b) Community right
   (c) Intellectual property right
   (d) both (b) and (c)

4. Who can register Geographical Indication?
   (a) Individual
   (b) Company
   (c) Producers
   (d) No one of the above

5. Certification mark indicates
   (a) Source
6. Certification mark can be registered in
   (a) Trademark Registry
   (b) Certification Board
   (c) Quality Control Board
   (d) MHRD

7. Collective Mark is registered by
   (a) Partnership firm
   (b) Association of person
   (c) Individual
   (d) Company

8. Hall Mark is
   (a) Trademark
   (b) Certification Mark
   (c) Collective Mark
   (d) Both (a) and (b)

9. Khadi is
   (a) Trademark
   (b) Certification Mark
   (c) Collective Mark
   (d) Both (a) and (b)

10. Geographical Indication can be licensed
    (a) Yes
A. SHORT ANSWER TYPE QUESTIONS [2X10=20]

1. What is cyber-squatting?

Ans: Cyber-squatting is related to unauthorized use of trademark. The registration of well known trademark as domain name with the intention to sell/assigned others to use same is known as cyber-squatting.

2. What is Meta-tag? Discuss the issues of Meta-tag and Trademark

Ans: A meta tag is a tag (that is, a coding statement) in the Hypertext Markup Language (HTML) that describes some aspect of the contents of a Web page. It provides structural meta data about web sites. Unauthorized use of other's trademark as meta-tag may leads to trademark infringement and or passing-off.

3. What is UDRP? How will you able to register domain name?

Ans: It is a process that has been established by ICANN resolve dispute regarding domain names.

The domain name registration process includes

- Choosing appropriate domain name
- Submitting following document before registrar
  - I. the desired domain name
  - II. The name and contact information (including email address, physical address and contact phone number) for the domain's registrant, administrative and billing contacts.
  - III. the desired domain registration term
  - IV. payment information

4. Whether framing leads to infringement of trademark? Analyze

Ans: Framing leads to direct or indirect infringement of trademark if someone provides access to content of another website in his website. The trademark can be used as domain name.

5. How certification mark is different from collective mark?
Ans: Certification mark provides quality whereas collective mark both quality and source. The proprietor can register certification mark whereas association of persons can register collective mark. The proprietor of certification cannot use the same whereas collective can be used by proprietor.

6. Who can register geographical indication in India? Whether Company can register the same? Analyze

Ans: Any association of persons, producers, organisation or authority established by or under the law can apply: The applicant must represent the interest of the producers. Company may be allowed to register the same if they represent the interest of producers but generally company does not register the same.

7. How the right over geographical indication can be transferred?

Ans: Geographical Indication right is not transferable but after death of authorized user his right transfer to legal heir/s.

8. Discuss the criteria’s that are required to register geographical indication in India.

Ans: As per GI act the following indications cannot be registered:

- which would likely to deceive or cause confusion
- which would be contrary to any law for the time being in force; or
- which comprises or contains scandalous or obscene matter; or
- which comprise or contains any matter likely to hurt the religious susceptibilities of any class or section of the citizens of India; or
- which would otherwise be disentitled to protection in a court; or
- generic names
- falsely represent to the persons that the goods originate in another territory, region or locality, as the case may be


Ans: A trade mark is a sign which is used in the course of trade and it distinguishes goods or services of one enterprise from those of other enterprises whereas a geographical indication is an indication used to identify goods having special characteristics originating from a definite geographical territory. The right over trademark is transferable but GI right is not transferable.
10. “Geographical indication can be used for micro-economic development”. Analyze

Ans: It can be used for micro-economic development as Goods under GI is linked to particular place. Geographical Indication of goods will create product based branding for particular place. It will help in developing local socio-economic development. Hence, it can be used as socio-economic tool.

B. TRUE AND FALSE [1X10=10]

1. Certification mark can be licensed: FALSE
2. Trademark can be domain name. TRUE
3. Domain name is used in real world. FALSE
4. Geographical Indication is public good. FALSE
5. Geographical Indication is community right. TRUE
6. Company can register collective mark. FALSE
7. Trademark can be used in virtual world. TRUE
8. WTO administer domain name. FALSE
9. ICANN head quarter is in Geneva. TRUE
10. Certification is used along with trademark. TRUE