

**INSTITUTE OF TRADE MARK ATTORNEYS
FORMALITIES COURSE
EXAMINATION**

7TH JUNE 2000.

SECTION A

QUESTION 1

Form TM23 is used for a partial surrender of a specification of goods or services for which the mark is registered. List the details which must be entered on the form.

QUESTION 2.

What are the basic provisions of Sections 42 and 43 and Rules 27-30 of the Trade Marks Act 1994 which govern renewal and restoration? Your answer should include references to the forms and fees required, grace periods allowed and provisions for restoration.

QUESTION 3

What is the Trade Mark Law Treaty and what are its aims?

QUESTION 4

Trade Mark rights can arise through registration or use. In relation to other Intellectual Property Rights in the United Kingdom indicate which of the following arise automatically and which need registration and, for two of them, indicate the length of protection given by the right.

Patents

Registered Designs

Copyright

QUESTION 5

What is a Prior Rights Declaration and what might it be used for?

QUESTION 6

A. Name three essential things which must be stated in a trade mark application.

- B. Define a “series” mark, as the term is understood under UK trade marks practice.

QUESTION 7

Explain what is meant by a common law search and discuss what kind of investigations are required. Why is a common law search necessary?

QUESTION 8

- A. Mention three differences between the system for International Registration under the Madrid Protocol and the Community Trade Mark
- B. Name the five working languages of the Office for Harmonisation in the Internal Market (Trade Marks & Designs).

QUESTION 9

- A. Explain what is the International Classification of goods and services and indicate how many classes.
- B. Name two countries which do not currently use the International Classification of goods and services

QUESTION 10

Name two types of manual record system and the advantages and disadvantages of using a manual system.

QUESTION 11

List five provisions likely to appear in a Trade Mark Licence.

QUESTION 12

Explain the role of the Notary Public in relation to documents for use in trade mark registration.