

Name:

Enrolment No:



**UNIVERSITY OF PETROLEUM
AND ENERGY STUDIES**

End Semester Examination December 2019

Course: B. TECH. (ET), LL.B. (Hons.) IPR 2016

Subject: Law of Copyrights Specifications & Claims- (Hons-1)

Code : LLBL463

No. of Pages: 02

Semester –VII

Duration: 3 Hrs.

Max. Marks: 100

S. No.	SECTION A (Total 10 Marks)	Marks	Mapping
Q 1	Write short notes on :	2*5	
	a) Subject matter of Copyright b) Berne Convention 1886 c) Authorship d) Concept of Adaptation e) Broadcasting Rights		CO1
SECTION B (Total 20 Marks)			
Q 2	Explain the concept of originality under the copyright law. Discuss the doctrine of “sweat of the brow”. Is it different from the “minimal creativity” approach for copyright protection? Discuss with the help of case law.	10	CO2
Q 3	What are the economic & Moral rights of the author under the copyright act, 1957	10	CO3

SECTION-C (Total 20 Marks)			
Q 4	What do you mean by performer's right? What are the exclusive and moral rights of the performer? Critically analyse.	10	CO3
Q 5	What is copyright assignment? What is its mode and how it is different from the licensing? Critically analyse.	10	CO3
SECTION-D (Total 50 Marks)			
Q 6	You are approached by an author. He wishes to get his copyright over his novel. Briefly state the registration procedure for a work under the copyright act, 1957.	10	CO3
Q7	Sriram Ltd was in the business of IAS coaching preparing reading material for IAS preparation. The coaching faculty and administration collected various articles from different books related to history and other general studies and compiled and sold them at a nominal price to their enrolled students. Answer, whether this will amount to copyright infringement or will there be any defence available to the Sriram Ltd.	15	CO4
Q 8	Consider the copyrightability of the following: A) Character of Shanktiman (5 Marks) B) Permanent Tattoo on a body (5 Marks)	10	CO4
Q 9	Viacom sued YouTube for more than \$1 billion for copyright infringement because hundreds of thousands of clips from Viacom programs, such as the Colbert Report and The Daily Show with Jon Stewart, have been uploaded to YouTube without Viacom's permission. These Viacom programs have been viewed more than 1.5 billion times. Viacom asserts that YouTube should use filtering software to thwart the uploading of Viacom content; that YouTube, allows users to share a video with up to 1000 friends and allows embedding a video into other websites, that YouTube is running an infringement-driven business because infringing videos are a draw to the YouTube site. Analyze whether Youtube can be held liable for primary or secondary infringement with the help of relevant cases and provisions.	15	CO4