

Name:	 UPES UNIVERSITY WITH A PURPOSE
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
Online End Semester Examination, May 2021

Course: Digital Copyright & Data Protection Law
Program: LL.M. Law & Technology
Course Code: CLLT 7002P

Semester: II
Time: 03 hrs.
Max. Marks: 100

Section-A

Instructions-

- 1. Attempt all questions**
- 2. Each Question will carry 5 Marks**

S. No.	Read the questions very carefully and Answer in 50- 70 words.	CO
Q 1	“This convention provides creators such as authors, musicians, poets, painters etc. with the means to control how their works are used, by whom, and on what terms.” (a) Name the Convention (b) Year of the Convention	CO 1
Q2	WIPO is deeply involved in the ongoing international debate to shape new standards for copyright protection in cyberspace. Name two prominent treaties along with their Year and Objective in one sentence.	CO 2
Q3	Anne is a student of MBA first semester and in his class one project is assigned to her. It was for the creation of ‘Colorful Database for Customers’. During COVID-19 lockdown, she was having no access to Library. (a) Can she use materials and images from websites in her project as a student project? (b) Will Anne be liable for copyright infringement?	CO 3
Q4	Ankita attended on birthday party at her friend’s house. On the request of all the friends, she performed a dance that was recorded by Rahul. Rahul uploaded it on Youtube without the consent of Ankita. Is there any violation of copyright law? Advise Ankita.	CO 3
Q5	Define the term ‘Database’. Is it subject matter of copyright protection under the Digital Copyright Act, 1957?	CO 2
Q6	What type of ‘Digital Work’ can be protected by copyright? Give examples.	CO 3

SECTION B

Instruction-

- 1. Each question will carry 10 marks**
- 2. Write short / brief notes**
- 3. Attempt all questions**

Q 7	<p>The petitioner is a partnership firm with ABC Publishing Pvt. Ltd. in Kerala. They are together engaged in printing and publishing various books in the field of law since 1981. They introduced SMART@JURIX database consists of all the reportable and non-reportable judgments, short judgments, orders, record of proceedings and directions of the Supreme Court. In 2004 petitioner came to know that the defendant XYZ publishing House td. In Delhi had launched the database on the same subject matter by the name LEX@JURIX. Petitioner filed the case for violation of copyright.</p> <p>On the basis of hypothetical facts answer the following question:</p> <p>Is the case maintainable? Advise ABC Publishing Pvt. Ltd. for the protection of copyright with the help of landmark judgement on it.</p>	CO 3
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Q 8	Moral rights are representative of social values concerning authorship, creativity and artistic work. They are based on a belief that artistic creation is something more than an attempt to earn a livelihood. Explain the relevance of this statement by mentioning one judgement.	CO 1
Q 9	<p>“Internet is one of man’s profound inventions of the millennium. It can be defined as a global network of interconnected computers and computer networks. The most impeccable quality of internet is that it is accessible with negligible cost and to almost all corners of the earth. However, the amelioration of Internet has given rise to several legal disputes with regard to Copyright infringement on web pages and web-sites.”</p> <p>What are the modes of infringement in websites? Explain with the help of examples.</p>	CO 2
Q 10	<p>“According to Philosophers: Intellectual property is a valuable asset to every corporation and an individual. Today, the threat of intellectual property infringement is increasing with each passing day on internet. Infringers are taking advantage of the IP owner’s hard work by re-creating a duplicate version of the authentic intellectual property.”</p> <p>What are the ‘Theories’ for the protection of copyright in cyberspace? [Explain only 2 Theories]</p>	CO 2
Q 11	“Digital Copyright is not an absolute right of the owner. It is subjected to Limitations’. Do you agree? Justify your answer.	CO3
SECTION C		
<p>1. Attempt only 1 question. It carries 20 Marks.</p> <p>2. Instruction: Write long answer.</p>		
Q12	<p>It has an established fact that the domain of copyright and related rights has expanded enormously with the technological progress of the last several decades. It has introduced the term ‘Digital Copyright’ which has brought new ways of spreading creations by such forms of worldwide communication as satellite broadcast and compact discs. Dissemination of works via the Internet is but the latest development which raises new questions concerning copyright.</p> <p>In the light of this statement answer the following questions:</p> <p style="text-align: center;">—</p> <p>[a] Mention the name of ‘Internet Treaties’</p> <p>[b.] Features of ‘Internet Treaties’</p> <p>OR</p> <p>Define ‘Computer Program’ as mentioned under the Copyright Act, 1957. With the help of cases analyze how far the Copyright Act, 1957 provides Protection for Computer Program’?</p>	CO 3