

Roll No.

SAP ID



LLBL563
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, July 2020
Open Book – Through Blackboard Learning Management System

Course: Digital Copyright & Data Protection Law
Programme: B.TECH. (CSE), LL.B. (Hons.) Cyber Laws

Semester: X

Time: 03 hrs.

Max. Marks: 100

Instructions:

As this examination is in open-book format, the students are expected to demonstrate a very high degree of Academic Integrity and not copy contents from resources referred. Instructors would look for understanding of the concept by the students and any similarity found from resources online/ offline shall be penalized in terms of deduction of marks and even cancellation of paper in requisite cases. The online examination committee of the School would also look for similarity of two answer scripts and if answer scripts of two or more students are found similar, both the answer scripts shall be treated as copied and lead to cancellation of the paper. In view of the aforesaid points, the students are warned that they should desist from using any unfair means.

All Questions are Compulsory
Answer each question in not more than 500 words

S. No.		Marks	CO
1	The elements of computer programs can be divided into literal and non-literal categories. Generally, source and object codes constitute the “literal” elements. A Company Amarchand, copied some part of computer program of a Company, Beemer. Explain the test applied in copyright infringement of a computer Program.	20	4
Ans.			
2	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.	20	3
Ans.			
3	An organizer of a cricket match entered into an agreement with a TV channel for broadcasting the live match in India. Mr. X created a website where he use to share information regarding scores, players bating or bowling, his reviews regarding the match. For the same purpose, he used to share some short video clipping of the match from the TV channel broadcasting the match. The broadcasters filled a suit for infringement of the special broadcast rights. Answer, whether the act of Mr. X amounts to infringement or not? Support your answer with relevant legal provisions.	20	3

Ans.			
4	In a landmark judgement the Division Bench of the Delhi High Court ruled that the preparation of 'course packs' i.e. compilation of photocopies of the relevant portions of different books prescribed in the syllabus, and their distribution to the students by educational institutions does not constitute infringement of copyright in those books under the Copyright Act, 1957. Briefly explain the judgement.	20	2
Ans.			
5	In December 2019, the government introduced the Personal Data Protection Bill, 2019, in parliament, which would create the first cross-sectoral legal framework for data protection in India. How should a legal framework for data protection balance the imperatives of protecting privacy and ensuring innovation and productivity growth? Examine the proposed data protection legislation in India.	20	1
Ans.			

I,, understand that submitting work that isn't my own may result in failure in this paper and I may also be subject to Disciplinary Proceedings as per the Academic Integrity policy of the University.

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