


| Name: | |  | |
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| Enrolment No: | | | |
| UPES End Semester Examination, May 2024 | | | |
| Programme Name : BA/BBA/BCOM LLB(Hons.) Semester : VI Course Name : Copyright Law and Practice Time : 03 hrs Course Code : CLIR3001 Max. Marks: 100 Nos. of page(s) : 2 | | | |
| Instructions: All questions are compulsory. | | | |
| SECTION A (5Qx2M=10Marks) | | | |
| S. No. | | Marks | CO |
| Q 1 | Term of copyright for the author of the book is----- | 2 | CO1 |
| Q2 | Explain contract for service | 2 | CO1 |
| Q3 | Definition of Literary Work is provided under section----- | 2 | CO1 |
| Q4 | Commercial Rentals rights are only provided in _____ | 2 | CO1 |
| Q5 | Define Performance under copyright. | 2 | CO1 |
| SECTION B (4Qx5M= 20 Marks) | | | |
| Q 1 | Describe the procedure for filing of copyright in India. | 5 | CO2 |
| Q2 | Copyright registration is a mandate. Comment. | 5 | CO2 |
| Q3. | Discuss difference between Authorship and ownership in copyright | 5 | CO2 |
| Q4. | Describe Moral Rights. | 5 | CO2 |
| Q5. | Explain DRM. | 5 | CO2 |
| SECTION-C (2Qx10M=20 Marks) | | | |
| Q 1 | Analyze the legal protection granted to neighboring rights under copyright act with supporting illustrations and case laws. | 10 | CO3 |
| Q2. | India Is First to Ratify “Marrakesh Treaty” Easing Access to Books for Persons Who Are Visually Impaired. Comment analyzing the impact of such ratification in Copyright statute. | 10 | CO3 |

SECTION-D
(2Qx25M=50 Marks)

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| Q 1 | <p>Nearly a decade ago, South Africa based British documentary producer Neil Curry made an extraordinary film, The Elephant, the Emperor and the Butterfly Tree about the complex ecosystem around Africa's mopane woodland. This engaging tale won many awards in leading environmental and natural history film festivals.</p> <p>Having spent several months in Botswana researching and filming the story, Neil wanted to take the film back to where it was shot. He knew that the wildlife parks and schools in the area could use the film to educate the local people and visitors.</p> <p>However, there was one problem: the British Broadcasting Corporation (BBC) Natural History Unit, which had funded the film and thus owned the copyright, would not share it.</p> <p>For two years, Neil's request for a single DVD copy for use in Botswana was passed around within its bureaucracy until he gave up.</p> <p>Analyzing the above statement provide your views for</p> <ol style="list-style-type: none"> a) Building a balance between open access and IP Rights (15 M) b) why would a creator choose to grant a free license to his or her creative works? (10 Marks) | 25 | CO4 |
| Q2. | <p>The plaintiff started its publishing business in 1982 and was involved in publishing books for children for educational purposes. The plaintiffs published five volumes of a book titled "LIVING SCIENCE" an educational book for children to make them aware of the features of plants and animals. The plaintiff was the owner of the copyright in these 5 volumes of the books published by them and had the sole right to use them; no one else had. The first defendant was the publisher of a series of books under the title "UNIQUE: SCIENCE", Volumes III, IV, and V, and defendants no. 2 and 3 were the editors of the said works. As per the allegations of the plaintiff, the series of books published by the first defendant under the title "UNIQUE SCIENCE" was a replica of the books published by the plaintiffs. The defendants contended that the work of the plaintiff and the defendants was derived from common sources, and the works are dissimilar; therefore, there is no question of any infringement of copyright. The defendants further alleged that the Copyright Act doesn't protect the original thought or information; what it protects is the work, which may have the same source as that of the other work but has a completely different way of expressing the thoughts and information; it was produced with skill and labour. A person is entitled to further develop the idea derived from the common source. The work of the defendant, though derived from a common source, is not in any way similar to the alleged work of the plaintiff, where the idea being</p> | 25 | CO4 |

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| | taken from a common source is developed differently, and similarities are bound to occur. | | |
| a) | What does “copy of work” means in the present case | 10 | |
| b) | Whether defendants are guilty of infringement of the copyright in the books published by the plaintiff? | 15 | |