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UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination, December 2017

Program: B.Tech. (CSE), LL.B. (Hons.) Cyber Law

Semester – XI

Subject (Course): Internet Regulation and Jurisdiction

Max. Marks: 100

Course Code:LLBL663

Duration: 3 Hrs

No. of page/s:3

Answer all questions.

SECTION-A (10×1=10 marks)

State whether the followings are True or False?

1. The Internet was originally a project of an agency called ARPA.
2. Internet is a vast collection of different networks.
3. The ideal slogan of Internet Regulation would be- “Focus on the nexus between Internet architecture and social policy.”
4. Internet governance implicates only questions about internet infrastructure.
5. India has a sound and self-sufficient Internet governance policy.
6. Broader and the more compelling set of questions about policy issues that implicate the Internet include issues like, online gambling, child pornography, freedom of speech, etc.
7. The model of cyberspace and spontaneous ordering is premised on the idea that the Internet is a self-governing realm of individual liberty, beyond the reach of government control.
8. Section 75 (2) and section 1 of the Information Technology Act, 2000 contains provision regarding the jurisdiction.
9. The most appropriate institutions are transnational quasi-private cooperatives or international organizations based on treaty arrangements between national governments to regulate the internet according to the model of transnational institutions and international organizations.

10. Establishing of specific institutions and agencies for the regulation of internet would prove to be effective rather than the old institutions dealing with this sphere.

SECTION B: (2×10=20)

1. Write a short note on Content Regulation.
2. Internet Jurisdiction is a deadlock that needs addressing. Comment upon the role of judiciary in formulating principles of jurisdiction in cyberspace.

SECTION C: (2×10=20)

1. The involvement of a non-resident defendant was one of the major obstructions in exercising jurisdiction. The courts had to therefore apply broader principles. Name and explain the different tests for determining jurisdiction in cases where a non-resident defendant is involved.
2. Write about an ideal Internet Regulation Model. Also, explain the characteristics that such a model should possess.

SECTION D: (2×25=50)

1. The U.S. Secretary of State, John Kerry proposed five basic principles of global Internet regulation for universal adoption, an initiative. He was speaking at Seoul University in South Korea. Here are the principles:

- I. No country should conduct or knowingly support online activity that intentionally damages or impedes the use of another country's critical infrastructure;
- II. No country should seek either to prevent emergency teams from responding to a cybersecurity incident, or allow its own teams to cause harm;
- III. No country should conduct or support cyber-enabled theft of intellectual property, trade secrets, or other confidential business information for commercial gain;
- IV. Every country should mitigate malicious cyber activity emanating from its soil, and they should do so in a transparent, accountable and cooperative way;
- V. Every country should do what it can to help states that are victimized by a cyberattack.

Based on this speech, state that how the transnational institutions and international organizations along with the national governments can shape the regulation of Internet?

2. "RaviKant" is a renowned sports person in the state of "VSA". On a successful victory of his important cricket series, he had thrown a dinner party for his close friends and relatives. The news

for such celebrations was known to the country. “Truth Mirror”, a “U.K” based newspaper and magazine publishing house, wrote an article on RaviKant and also emphasized about his drinking habits. One of the statements of the article read “drinks more than that can be handled at a party of professionally renowned guests and be an embarrassment”. The same article was also published on the official website of the publishing house. A lot of social website memes were made against him following the release of the said article and a lot of his matches in VSA were called off., after reading the news RaviKant filed a case against the company Truth Mirror and the owner of the company, James in VSA.

Decide the case. Comment whether VSA has jurisdiction to try the said case? Explain the legal test/theory which can be applied in this case and support your answer with appropriate case law.

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Section-A (5×2=10 marks)

Choose the most appropriate option.

1. The Internet was originally a project of which agency?

A. ARPA

B. NSF

C. NSA

D. None of these

2. What is internet?

A. A single network

B. A vast collection of different networks

C. Interconnection of local area networks

D. None of the mentioned

3. Internet governance implicates:

A. The narrow questions about Internet infrastructure.

B. The broad questions about regulation of applications and content

C. Both A and B.

D. None.

4. Broader and perhaps more compelling set of questions are about?

A. Policy Issues.

B. Specific Institutions.

C. Both

D. None.

5. The ideal slogan of Internet Regulation would be?

A. Focus on infrastructure only.

B. Regulation By Government.

C. Focus on the nexus between Internet architecture and social policy.

D. None.

SECTION B: (2×10=20)

1. Internet Jurisdiction is a deadlock that needs addressing. Comment upon the role of judiciary in formulating principles of jurisdiction in cyberspace.

2. Write a short note on Content Regulation.

SECTION C: (2×10=20)

1. Write about an ideal Internet Regulation Model. Also, explain the characteristics that such a model should possess.

2. The involvement of a non-resident defendant was one of the major obstructions in exercising jurisdiction. The courts had to therefore apply broader principles. Name and explain the different tests for determining jurisdiction in cases where a non-resident defendant is involved.

SECTION D: (2×25=50)

1. “Suvraj Yingh” is a renowned sports person in the state of “VSA”. On a successful victory of his important cricket series, he had thrown a dinner party for his close friends and relatives. The news for such celebrations was known to the country. “Truth Mirror”, a “U.K” based newspaper and magazine publishing house, wrote an article on Suvraj Yingh and also emphasized about his drinking habits. One of the statements of the article read “drinks more than that can be handled at a party of professionally renowned guests and be an embarrassment”. The same article was also published on the official website of the publishing house. A lot of social website memes were made against him following the release of the said article and a lot of his matches in VSA were

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