



Name:

Enrolment No:

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2022

Course: Digital Copyright Law
Program: B.A./BBA/B.Com.,LL.B. CyberLaw
Course Code: CLCB 5008

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

Instructions:

SECTION A
(5Qx2M=10Marks)

S. No.		Marks	CO
Q.1.	Define Artistic Work	2	CO1
Q.2.	Define Right of Adaptation.	2	CO1
Q.3.	Discuss the meaning of “Intermediary”?	2	CO1
Q.4.	Define Creative Commons	2	CO1
Q.5.	What is the term of Copyright protection in India?	2	CO1

SECTION B
(4Qx5M= 20 Marks)

Q.6.	Describe the minimum criteria of protection enshrined under Berne Convention,1886.	5	CO1
Q.7.	Define Doctrine of Merger.	5	CO1
Q.8.	Discuss the subject matter of Copyright provided under S-13 of the Copyright Act.	5	CO2
Q.9.	Define DRM	5	CO2

SECTION-C
(2Qx10M=20 Marks)

Q.10.	Open Access to Copyrighted material disincentivize knowledge creation. Analyze	10	CO3
Q.11.	The current structure of the data security system is adequate to comply with the provisions of both the Indian Constitution and the TRIPs Agreement. Interpret the statement in light of the 2019 Bill.	10	CO4

SECTION-D
(2Qx25M=50 Marks)

Q.12.	The TRIPS Agreement is ambiguous on protecting software. However, countries are at their own discretion to grant protection for	25	CO4
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	<p>software, which can be protected under trade secrets, copyrights and patents.</p> <p>ABC, a software company has developed a software wherein any hexadecimal number is converted to its binary counterpart as an output. Analyze whether the software is eligible for Copyright or patent protection. Refer relevant precedents.</p>		
Q.13.	<p>Mr. Jackson, a famous composer was the author of multiple songs, which were widely known. He noticed that the songs were uploaded on a streaming platform, without taking any consent. The songs were also available for downloading. He sent a notice to the platform informing about the same, it contained the name of the titles and URL of the videos.</p> <p>He later filed a suit against the platform for both primary and secondary infringement.</p> <ol style="list-style-type: none"> i. In light of the above facts, analyze the liability of the platform applying the relevant precedents. ii. Interpret the difference in the approach of the US and EU Courts in the matter. 	15+10	CO3