

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

Course: Law of Copyright
Semester-II (Batch: 2017-18)

LLM End Term Examination: May, 2018

Date: 4th May, 2018

Duration: 3 hours

Max. Marks: 70

Instructions:

- Read the questions properly and write the answers in the given answer book.
- The respective marks for each question are indicated in line.
- Do not write anything on the question paper.
- Indicate correct question numbers in front of the answers.
- No clarifications can be sought during the exam period, answer as it is, giving reason, if any.

PART-A**Marks**

- Q.1 If in plaintiff's play, hero has inherited a fortune from his uncle subject to the condition that if hero dies unmarried the money will go to his cousin, the Villain. The Villain shoots him but makes it look like an accident. The hero defeats the machination of the Villain by bribing a beggar girl out of the streets to marry him before his death can ensue. (10)

In defendant's play, the hero has inherited a fortune from his father subject to the condition that he must marry before the age of twenty five, or else the money will go to his cousin, the Villain. The Villain induces him to pass his time drinking and gambling so as to forget the condition. The family lawyer finds the hero on the eve of his twenty-fifth birthday and persuades him to go home. On his way to home, the hero meets a beggar girl and out of compassion gives her shelter for night. The next day, the lawyer turns with a special marriage license and insists on immediate marriage. The hero marries the beggar girl.

Decide whether the defendant's play infringes the copyright in the plaintiff's play. Examine '*idea-expression*' dichotomy and the requirement of 'originality' under the copyright law with help of decided cases. Discuss the doctrine of merger.

- Q.2 Write Short Notes on the following: (3x5=15)
1. Moral Rights
 2. First ownership under Copyright Law
 3. Tests for determining infringement
- Q.3 Elaborate the remedies against Infringement of Copyright. (10)

PART-B

- Q.4 'The copyright societies play a very important role in the collective management of copyright which serves the interest of not only of the copyright (12)

owners but also the users of works and public at large' Critically discuss this statement in light of the role of copyright societies in the administration of copyright. State applicable legal provisions and cases.

- Q.5 Explain various provisions with regard to assignment of copyright. Critically discuss the major changes in the provisions relating to assignment of copyright after the year 2012. (12)
- Q.6 Write Short Notes on any two of the following: (11)
- (a) Broadcasting Rights
 - (b) International Copyright Order 1999
 - (c) Provisions with regard to Cover Version and Copyright
