

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

Course: Law of Copyright
Semester- II (Batch: 2023-24)

End Semester Examination: April 2024 (LL M)

Date: 25th April, 2024

Duration: 3 hours

Max. Marks: 50

Instructions:

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

- | | Marks |
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| Q.1 'Copyright constitutes an essential element in the development process of a country and the enrichment of the national cultural heritage depends directly on the level of protection afforded to various works. It is <i>sine qua non</i> for the copyright system of a country to strike a balance between the interests of the copyright owner and the reasonable demands of the Organised society.' Elucidate the statement in the light of historical development of copyright law in the world as well as in India. | (6) |
| Q.2 The purpose of copyright law is to safeguard the interests of the creator and their original work and any such original work can only be used with prior permission from the author/owner of the copyright, however, there are certain exceptions to this principle. Critically discuss in detail the acts which do not constitute infringement of copyright. | (6) |
| Q.3 Answer the following in brief : a) Who is considered a performer? b) What is 'contract of service' and 'contract for service' in respect of copyright ownership? c) What rights are protected as moral rights in India? d) What rights are available for the literary works? e) Who is considered as the author for various works? f) What is the meaning of infringing copy? | (6) |
| Q.4 Write Short notes on any three of the following: a) R.G. Anand v. Delux Films (AIR 1978 SC 1613) b) Broadcasting rights protection c) Role of Copyright Societies in Copyright Protection d) Assignment of Copyright | (4x3= 12) |
| Q.5 'In the material world, laws are geared to protect the right to equitable remuneration. But life is beyond the material. It is temporal as well. Many of us believe in soul. Moral rights of the author are soul of his works. The author has a right to preserve, protect and nurture his creations through his moral rights.' In the light of above statement, elucidate rationality and legality of moral rights. Substantiate your answer with the help of relevant statutory provisions and case laws. | (10) |
| Q.6 What is the meaning of word 'original' under S. 13(1)(a) of the Copyright Act, 1957. Discuss the evolution of the concept of originality under the copyright law citing relevant provisions and case laws. | (10) |
