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**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

Course: **Law of Copyright**

Semester-II (Batch: 2013-14)

End Term LL.M. Examination: May-June 2014

Date: 30th May, 2014

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 any thing on the question paper.
- Indicate correct question numbers in front of the answers.
- No questions or clarifications can be sought during the exam period, answer as it is, giving reason, if any.

Answer any 7 Questions:

**Marks
(7x10
=70)**

- Q.1 Eastern Book Company filed a suit against Thomson Reuters Corporation as well as Reed Elsevier Corporation for infringing their copyright of their Law Reporter-Supreme Court Cases (SCC) through their website www.lexisnexis.com. Discuss with case laws these issues relating to Copyright over the judgments of the Supreme Court based on this case.
- Q.2 Critically examine the decision given by the High Court of Delhi in *NDTV Ltd vs. ICC Development*. Do you agree that when footages are used along with commercial advertisements they infringe the rights of the broadcaster? Explain.
- Q.3 What do you mean by the 'work of joint authorship' under the Copyright Act? Examine the test laid out by the court in the case of *Najma Heptulla vs Orient Longman Ltd* to identify the 'work of joint authorship'.
- Q.4 What is 'infringing copy' under Copyright Act? Discuss with case-laws the interpretation given to exhaustion-rights under Copyright Act. Do you think it is in consonance with the intention of the Statute?
- Q.5 Elucidate with case-laws the anomalies created by Section 52(1)(j)[Provisions relating to version recording prior to 2012 Amendment] in the case of statutory licensing of musical works. Examine how it has been impacted in the 2012 Amendment of the Copyright Act.
- Q.6 In the light of the decision of *Alberta (Education) v. Canadian Copyright Licensing Agency* examine the arguments of the plaintiff in *Oxford University Press vs. Rameshwari Photocopy Service* (Delhi University Photocopy Case).
- Q.7 Explain the test laid down by the court in *R.G Anand vs. M/S Deluxe films*. Do you think that this test is adequate to protect the 'expression of an idea'?
- Q.8 Explain using case-laws 'fair use' provision for library and education under the Copyright Act. Examine the Amendments made in Section 52 of the Copyright Act.
- Q.9 What do you mean by 'moral rights'? Explain how far these rights of the performers have been protected under the Copyright Act.
