

**Cyber Law:** Cyber law, also known as Internet Law or Cyber Law, is the part of the overall legal system that is related to legal informatics and supervises the digital circulation of information, e-commerce, software and information security. It is associated with legal informatics and electronic elements, including information systems, computers, software, and hardware. It covers many areas, such as access to and usage of the Internet, encompassing various subtopics as well as freedom of expression, and online privacy.

**Advantage of cyber law:** These are some advantages of cyberlaw which are listed below:

- Secured E-commerce for Setting Online Business
- Digital Certificate for securing the site
- Blocking unwanted content from the Internet
- Proper monitoring of traffic
- Security Against common frauds
- Born of new Security Agencies like Cyber Cell
- Software as well as Hardware security
- Proficient use of E-Forms as prescribed
- Emails are a legal form of communication and it is approved in the court of law.

**Disadvantage of cyber law:**

- Fake IDs and leads cannot be tracked by online media outlets at this time.
- Internet-based video-streaming services aren't yet covered by this cyber regulation

**Digital signature in e-commerce:**

As the name suggests, a digital signature is an advanced alternative of electronic signatures used for signing documents. It uses cryptographic technology to ensure the authenticity of documents and digital communication happening over the internet. Digital signatures provide complete security during online transactions, which is a major part of the eCommerce industry. This process takes place in three stages:

The first stage is called the Key Generation Algorithm, where a private key is generated using an advanced mathematical algorithm.

In the next stage, after generating a private key, the document that is to be signed is also generated. This stage includes the Signing Algorithm. Although, the document cannot be signed until the signer's private key is verified.

The verification happens in the third and the final stage, which utilizes Verification Algorithm. In this stage, the system verifies the authenticity of the private key and the message. In this process, the system generally generates two keys – a private and a public key. This means that for every private key, a public key is created.

Now, the process of authentication is done to determine whether the private and public keys match or not. Once both the keys match, the signer can sign the document.

Especially in the e-commerce industry, where transactions happen between anonymous identities, the security of digital signatures ensures that only verified transactions take place.

## What is Cyber Crime? Write down the difference types of Cyber Crime.

Cybercrime is defined as a crime that is committed using a network-connected device such as a computer or a mobile phone. Those who commit cyber-crime are known as cyber criminals or cyber crooks. With the growing digitization, internet crimes are also increasing at a faster pace. As, this type of crime can be committed from a distant location; for an example-a foreign country, most criminals prefer this mode as the risk of getting traced and punished is limited. Some common types of cybercrimes include phishing, hacking, cyber-bullying, identity theft, spamming to name a few. Let's explain what exactly these terminologies mean.

**PHISHING ATTACKS:** Phishing is a technique used to gain personal or sensitive information of a PC user, which can be his bank details or credit card information. The Phishing Attack is a Social Engineering attack that is used to steal precious data such as login credentials or credit card details as attackers pretend to be trusted individuals and trick victims into opening malicious links.

**Cyber-Bullying:** Cyberbullying is insulting, harassing or threatening anyone using the internet via email or messenger etc.

**Identity Theft:** Identity theft is the process of stealing your personal information such as social security number or driver license to open a bank account or apply for credit card etc.

**Hacking:** Hacking is defined as an activity to intrude into your system or gain unauthorized access to your accounts.

**WEB ATTACKS:** A web attack affects the computer via the internet. These viruses can be downloaded from the internet and end up causing large-scale and irreversible damages to your system.

**TROJAN HORSES:** Trojan Horse is a type of malicious software program which attempts to disguise itself to appear useful. It appears like a standard application but causes damage to data files once executed

**SQL INJECTIONS:** SQL injection is a type of cyber crime that effectively employs malicious codes and manipulates backend databases to access information that is not intended to be displayed. These mostly involve private and sensitive data items including the likes of user lists and customer details, among others. SQLI can have long-term devastating effects such as deletion of tables, unauthorized viewing of any user list, and even administrative access to databases.

**CROSS-SITE SCRIPTING:** Cross-Site is another type of injection breach where attackers send malicious scripts from websites that are deemed responsible or reputed. Attackers inject malicious codes into trusted websites and applications and when a user visits such infected web page, the malicious JavaScript code is executed on the user's browser. This code can be used to steal important information like username and password.

**DDOS ATTACKS:** These are the attacks that aim at shutting down services or networks and making them inaccessible to the intended users. These attacks overwhelm the target with a lot of traffic and flood the same

with information that can cause the website to crash. DDoS Attacks are targeted primarily at web servers of high-profile organizations such as the government or trade firms.

**PASSWORD ATTACKS:** These are simply meant to decrypt or even attempt to obtain a user's password with the help of criminal intentions. Attackers can use Dictionary Attacks, Password Sniffers, or even Cracking programs in such cases. These attacks are conducted by accessing passwords that are exported or stored in a file.

**EAVESDROPPING ATTACKS:** Eavesdropping attack begins with the interception of network traffic. This type of cyber crime is also known as Sniffing or Snooping. In this type of cyber crime, individuals attempt to steal information that computers, smartphones, or other devices receive or send.

**BRUTE-FORCE AND DICTIONARY NETWORK ATTACKS:** These are networking attacks where attackers attempt to directly log into the user's accounts by checking and trying out different possible passwords until they find the correct ones.

**INSIDER THREATS:** Not all of the network attacks are executed by outsiders. The inside attack is a very common type of cyber crime. It is performed on a network or a system by individuals who have authorized access to the same system.

**MAN-IN-THE-MIDDLE ATTACKS:** A man-in-the-middle attack occurs when attackers eavesdrop on the communication between two entities. This type of cyber crime affects both the communicating parties as the attacker can do anything with the interpreted information.

**AI-POWERED ATTACKS :** Computer systems are now programmed to learn and teach themselves, and these AI-powered attacks mark a new type of cyber crime that is bound to get more sophisticated with time. AI is employed in many everyday applications with the help of algorithmic processes referred to as Machine Learning. This software is aimed at training computers to perform specific tasks all on their own. They can also accomplish these tasks by teaching themselves about obstacles that can potentially hinder their progress. AI can also hack many systems, including autonomous drones and vehicles, and convert them into potentially dangerous weapons. The AI-powered applications can be used for performing cyber crimes such as Password Cracking, Identity Theft, and automated, efficient and robust attacks.

**DRIVE-BY ATTACKS :** Drive-by attacks are used to spread malware through insecure websites. Hackers first look for websites with lesser security parameters and then plant malicious scripts into PHP or HTTP code onto

one of the pages. The script can then directly install the malware onto the computer of anyone who visits the site.

**SPEAR PHISHING ATTACKS :** These attacks are aimed at specific organizations' data by individuals who desire unauthorized access. These hacks aren't executed by any random attackers but by individuals who are trying to access specific information like trade secrets, military intelligence, etc.

**WHALE PHISHING ATTACKS:** A Whale Phishing Attack is a type of Phishing that generally attacks people with high statuses, such as CFOs or CEOs. It primarily aims at stealing information as these individuals typically have unlimited access and are involved with sensitive data.

**MALWARE:** Malware is an umbrella term for a code/program that is intentionally built to affect or attack computer systems without the user's consent.

**RANSOMWARE:** Ransomware generally blocks victim's access to their own data and deletes the same if a ransom is not paid.

**TEARDROP ATTACK:** Teardrop attack is a form of attack that causes fragmentation in the general sequence of Internet Protocol (IP) packets and sends these fragmented packets to the victim's machine that is attacked.

**PING OF DEATH ATTACK:** The Ping of Death Attack is a type of cyber crime where IP packets ping target systems with IP sizes that are much over the maximum byte limit.

**PUPS:** PUPs is an abbreviation Potentially Unwanted Programs. These are a form of malware that is less threatening than other types of cyber crimes. This type of attack uninstall the required search engine and pre-downloaded apps in your systems. Therefore, it is a good idea to install antivirus software to prevent malicious download.

## How to Stop Cybercrime?

Stopping cybercrime is the responsibility of the government or the bodies dedicated to the same but you can take some steps to stop cybercrime affecting you. The best way is to follow the cyber safety tips mentioned above. Reporting an internet crime to the dedicated authorities of the country is also important to put a check on these types of crime. Often, people become a victim of cyber-attacks due to their ignorance or negligence thereby causing immense harm to themselves or their organizations. Use an anti-malware on your PC & mobile to remain protected from virus attacks. It's very difficult to detect hidden virus or rootkit in your PC, which can be done only using an antivirus software. REVE Antivirus has strong virus detection features that protect your PC from threats like Trojan, Worms, Ransomware to name a few.

Passing of:

## ICT ACT 2006

In order to facilitate e-commerce and promote the growth of information technology, the Information and Communication Technology Act (ICT) of 2006 of Bangladesh established provisions with a maximum penalty of up to 10 years imprisonment or a fine of up to 10 million taka or both. The ICT Act, 2006 as amended in 2013 is obviously quite a brilliant feat in the cyber law field of Bangladesh.

In Bangladesh, the ICT Act, 2006 was enacted to prevent cybercrimes and regulates e-commerce. Before this Act was enacted, the law applicable to cyber offences was the Penal Code, which was enacted long ago in 1860 when nobody even thought of computer technology or cyber crime. With the entry into force of the ICT Act, 2006, in order to meet the new requirements of cyber space crimes as well as e-commerce disputes, it becomes necessary to introduce certain consequential changes in certain provisions of the Penal Code, 1860 as well as in the Evidence Act, 1872.

### What are the main offences in Bangladesh in regards to the Information Technology Law, Internet and ICT Act?

Some of the main offences are pointed out below that may arise out of Online Law / Internet Law in Bangladesh|ICT Rules, Regulations and Rights in Bangladesh (not in any specific order.)

**1. Fake Electronic Publication:** If any person intentionally publishes or transmits or causes to be published or transmitted on the website or in an electrical form any material which is false or obscene or which has the effect of tending to debase and corrupt persons, who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it, or causes to deteriorate or creates possibility to deteriorate law and order, prejudice the image of the State or person or causes to hurt or may hurt religious belief or instigate against any person or organization, then this activity will be regarded as an offence.

#### ■ Punishment for Fake Electronic Publication

Anyone who commits the offense of electrically publishing false, obscene or defaming information shall be punished with imprisonment for a term of at least 7 years and a maximum of 14 years, and with a fine of up to 10 Taka lakes or both.

### **2. Hacking an electronic device (Hacking a Computer/Phone/Info):**

If any person with the intent to cause or knowing that he is likely to cause wrongful loss or damage to the public or any person, does any act and thereby destroys, deletes or alters any information residing in a computer resource or diminishes its value or utility or affects it injuriously by any means or damages through illegal access to any such computer, computer network or any other electronic system which do not belong to him, then such activity shall be treated as hacking offence.

#### ■ Punishment of Hacking an electronic device (Hacking a Computer/Phone/Info):

Anyone who commits the offense of electrically publishing false, obscene or defaming information shall be punished with imprisonment for a term of at least 7 years and a maximum of 14 years, and with a fine of up to 10 Taka lakes or both.

### **3. Unauthorized access to protected systems in Bangladesh**

Any person who secures access to or attempts to secure access to a protected system will be treated as an offence.

#### ■ Punishment for Unauthorized Access to Protected Systems

Anyone who commits an offense of unauthorized access to protected systems shall be punished with imprisonment for a term which may extend to a minimum of 7 years and a maximum of 14 years or a fine which may extend to or with 10 lacs of Taka.

#### **4. Disclosure of confidentiality and privacy in Bangladesh:**

No person having secured access to any electronic record, book, register, correspondence, information, document or other material shall disclose such electronic record book, register, correspondence, information, document or other material to any other person without the consent of the person concerned as an offence.

##### Punishment for disclosure of confidentiality and Privacy

Any person committing disclosure of confidentiality and privacy shall be punished with imprisonment for a term of up to two years or with a fine of up to two Taka lacs or both.

Using a computer to help commit an offence in Bangladesh

Whoever knowingly assists in committing crimes under the ICT Act, using any computer, email or computer network, resource or system shall be considered an offence.

Punishment for using a computer to help commit an offence

Any person who assists in committing an offence as set out above shall be punished with the penalty for the core offence.

How 'Tahmidur Rahman, Counsels Law Partners & Associates' helps the purchaser of any land in Bangladesh:

The Barristers, Advocates, and lawyers at Remura in Gulshan, Dhaka, Bangladesh are highly experienced at assisting clients in dealing with all kinds of offences and punishments under the ICT Act. For queries or legal assistance in regards to Online Law / Internet Law in Bangladesh | ICT feel free to call us on that green button or email us

### **Purpose/objective of ICT Act**

The ICT Act promotes the Public Key Technology Trust Chain. The law allows digital certificate infrastructure to be developed and managed by the Controller of Certifying Authorities (CCA), including audits to be carried out. The ICT law was formulated to promote the development of Bangladesh's information and communication technologies. The aim is to facilitate the use of information and communication technologies to build the information society.

Where the information contained in a document is considered confidential by statute, confidentiality must be covered by appropriate means, including on a communication network.

Some Cyber Crimes which are to be dealt through this act are follows:

- Hacking or unauthorised entry into information systems
- Introduction of viruses
- Publishing or distributing obscene content in electronic form
- Tampering with electronic documents required by law
- Fraud using electronic documents

- Violation of privacy rights such as STALKING
- Violation of copyright, trademark or trademark rights

The purpose of this Act is to guarantee the legal security of documentary communications between persons, partnerships and the State, irrespective of the medium used; the consistency of legal rules and their application to documentary communications using information technology-based media, whether electronic, magnetic, optical, wireless or otherwise, or based on technology combinations. -Online Law / Internet Law in Bangladesh | ICT Rules, Regulations and Rights in Bangladesh

## Advantages to be fruitful from the Act:/Scope of ICT act:

This Act has provided us with few advantages such as the conduct of important security issues under the ICT Act, 2006, which are so critical to the success of electronic transactions. The Act has given the concept of secure digital signatures a legal definition that would have to be passed through a system of a security procedure, as stipulated by the government at a later date. On the other hand, businesses can now conduct electronic commerce using the legislative framework established by the Act. This Act also provided other facilities for the operation of cyber business or information and technology sector.

## Criticism of the ICT Act 2006

Although Critics occasionally point out that certain specific limitations of the Act still remain. (Online Law / Internet Law in Bangladesh | ICT)

**A. Practical Difficulty of Application:** The legislation was originally intended to apply to crimes committed both in Bangladesh and worldwide but barely people practically take actions to execute their rights under the act.

### B. Difficulties with Electronic Transaction

‘The enactment has an important effect on Bangladesh’s e-commerce and m-commerce. But as for the electronic payment of any transaction it keeps itself almost impractical.

### C. Intellectual property Security

The Act is not vocal on the various intellectual property rights, such as copyright, trademark and e-information and data patent rights.

### D. Not Addressing Mobile crime and contradicting Email Evidence

One of the staggering part of the act is that no crime committed via mobile phones is addressed in the Act. Also, this law admitted to convey emails as evidence, contrary to the Evidence Act of the country, which does not recognize emails as evidence.

**What is Hacking ? What is the punishment for hacking by ICT act 2006?** Hacking is defined as an activity to intrude into your system or gain unauthorized access to your accounts.

**Punishment:** Punishment for hacking with computer system.-

(1) If any person—

(a) with the intent to cause or knowing that he is likely to cause wrongful loss or damage to the public or any person, does any act and thereby destroys, deletes or alters any information residing in a computer resource or diminishes its value or utility or affects it injuriously by any means;

(b) damage through illegal access to any such computer, computer network or any other electronic system which do not belong to him;  
then such activity shall be treated as hacking offence.

(2) Whoever commits hacking offence under sub-section (1) of this section he shall be punishable with imprisonment for a term which may extend to ten years, or with fine which may extend to Taka one crore, or with both.

## Intellectual Property:

The word Intellectual property (IP) denotes the creations of the mind, such as literary and artistic works; inventions; designs; symbols, names and images used in commercial ventures. With the rapid expansion of world economy keeping pace with the globalization, intellectual property law in Bangladesh and the corresponding rights over intellectual property law in Bangladesh have become an absolute asset to the economic, social and technological development of any country.

The World Intellectual Property Organization (WIPO) Convention provides that “intellectual property shall include rights relating to:

1. Literary, artistic and scientific works,
2. Performances of performing artists, phonograms and broadcasts,
3. Inventions in all fields of human endeavor,
4. Scientific discoveries,
5. Industrial designs,
6. Trademarks, service marks and commercial names and designations,
7. Protection against unfair competition, and
8. All other rights turn from intellectual activity in the industrial, scientific, literary or strategically fields.

In Bangladesh the extension of intellectual property pillar copyright, trademark, patent and design etc.

**Intellectual Property Owner:** Intellectual property owners are usually the people or companies that create inventions, designs, or creative works. When owners take steps to protect their creations, they secure their exclusive rights to them.

## Right of Intellectual Property Owner having:

- Patents, Domain names, Industrial design, Confidential information, Inventions, Moral rights, Database rights, Works of authorship, Service marks, Logos, Trademarks, Design rights, Business or trade names, Commercial secrets, Computer software



## Patent:

A patent is a type of intellectual property that provides its owner or the inventor the legal right to exclude others from inventing, using, or selling the invention for 16 years on payment of the prescribed fees and such period of protection may be renewed. Usually, a patent allows the patent owner with the right to take the decision as to how - or whether - the invention can be used by others. In exchange for this exclusive right, the patent owner makes technical data available in public about the invention.

A patent is a legal document that gives a creator exclusive right to hamper others from producing, using, selling, or importing an invention for a fixed period (usually 20 years). A patent request must satisfy the patent examiners that the creation is:

- **Useful** (i.e., have industrial application): ideas, theories, and scientific thread are not sufficiently useful or industrially applicable to be patentable;
- **Novel**: the creation should be recent and original, but perhaps most urgently it should not already be known (in the public domain);
- **Non-obvious or must involve an inventive step**: not obvious to a person skilled in the technology and excessive inventive than mere invention of what already exists in nature (such as a gene with no known function).
- **A product**: such a claim will cover any use of the product including those as yet undiscovered. For example, a new drug patented as a salve for cancer may later be found to cure heart disease; the patent will cover this new use.
- **A use**: such a claim will pillar a specific use only. So, it would skill the previously drug only as a salve for cancer and not for any uses that are found after;
- **A process**: such a demand will protect the process when used with any product, but would not protect a effect that could be manufactured by that process but was not.
- **A product-by-a-process**: such a demand would cover only those effect made by the process described in the application. Consequently, it would skill the drug, but only when made by a specified method.

It should be marked that a patent may involve claims of two or more of these categories. But whether the patent covers a product, a process, a use or all of these, the invention normally must have a physical image or its application must be capable of leading to one.

## Patentability Requirements.

Sometime an creation has been patented, the patent owner has the right to decide any monetization activities including the patent.

Though, previously a patent application is filed, it is urgent to make conform that the invention is, in fact, new and unique. Otherwise, the patent application will be rejected.

Consequently, in order for any discovery to receive a patent, it must conference the following requirements:

1. **Novelty:** Under 35 U.S.C. § 102, an discovery needs to be new, and it must not have been published to the public, including friends and family or journals, magazines, websites, etc., Though, this is not the event for “absolute novelty” countries, with Japan and few European countries.
2. **Non-Obviousness:** According to 35 U.S.C. § 103, it must be determined if the discovery is clearly to someone with basic knowledge in the ground. The patent examiner will examine all the former relevant patents (prior art) to confirm that no other same patents exist.
3. **Usefulness:** For an creation to be useful, it is urgent to have a functional motive. Therefore, a petitioner will have to evidence how the creation can provide an actual use; the creation cannot be something that can only effort a speculative use.

->As per Section 3 of the Patent & Design Act, 1911, an application for a patent can be made by any citizen of Bangladesh or foreign national, by himself or jointly and such application shall be made in prescribed forms to the Department of Patents, Designs and Trademarks (DPDT). The application made by the inventor shall consist of a declaration that the applicant is in possession of the said invention. In case of a joint application, one of the applicants, who claims to be the bona fide and first inventor, or its legal representative or assign of such inventor must annex complete specification to the application.

**Patent Process:** According to the current patent law, a patent request is required to be associated with either a complete or provisional specification. Whether an applicant applies with a provisional specification, a complete specification is required to be submitted within nine months. Whether not, after a period of ten months the application is regarded to have been abandoned. A complete specification is required to include following particulars, such as: The name and address of the inventor, the title of the creation, an abstract or summary of the invention, a description of the invention, the process of creation with drawings and a demand or demands defining the extension of the creation for which protection is sought.

## Filing Requirement;

To chart a Patent Application following knowledge are required:

- a) Name of the inventor (applicant),
- b) Address(s) and nationality of the inventors,
- c) Two establish of specification and one establish of drawing on tracing paper (transparent),
- d) One establish Legalized Deed of Assignment (if any),
- e) Power of Attorney [Form – 31],
- f) Certified copy of the external patent (in case of claiming priority)

**Time of Owner:** Under the act, the Department of Patents, Design and Trademark (DPDT) provides patent Protection (registration) to the patent holders for 16 years on payment of prescribed fees. Duration of protection may be renewed for a moreover period at most 10 years before 6 month to owner expired.

## Rights of a patent holder

**Right to exploit the patent:** the patent holder is provided with the right to manufacture, use, sell and distribute the patented product. In case the invention is a process of production, the owner of the patent has

the right to direct the procedure to the other person who has been authorised by the patentee. This right can be enforced by the agent of the patent holder.

**Right to assign and license** : The patent holder is granted with the rights of assigning or granting licenses for manufacture and distribution of the patented products to others. In case there are co-owners of the patented product, the permission to grant license to the other person shall be sought from the co-owners. The license would be considered to be granted when the request has been duly authorised by the controller.

**Right to surrender the patent**: The owner of the patent has the right to surrender his patent after seeking permission from the controller. The controller then advertises about this surrender as per the procedure laid down in the Indian Patents Act. The parties interested in getting the ownership of the patent can then approach the controller. The controller examines the party's claims and surrenders the ownership respectively.

**Right before sealing**: a patent is sealed from the date of notification for acceptance to the date of acceptance of the notification. The right of the patentee begins after the notification for acceptance has been presented.

**Right to apply for the patent of addition**: the patent holder is granted the right to the modified invention after the notification of the acceptance comes out. Once the notification is presented, the owner is provided with the same rights as provided to the previous patent.

**Right in case of infringement**: When any of the rights of the patent holder is violated, then it is termed as patent infringement. This is to mean that if the patented invention is used, manufactured or sold for commercial purposes by any person, then it will be accused of patent infringement. In case of violation of patentee's rights, the patentee can approach either the district court or a high court. If the person is proven guilty of infringement, the courts will either grant permanent injunction or damages or both.

## Opposition to grant of patent

**9. (1)** Any person may, on payment of the prescribed fee, at any time within four months from the date of the advertisement of the acceptance of an application, give notice at the Department of Patents, Designs and Trade Marks of opposition to the grant of the patent on any of the following grounds, namely:-

- (a)** that the applicant obtained the invention from him, or from a person of whom he is the legal representative or assign; or
  - (b)** that the invention has been claimed in any specification filed in Bangladesh which is or will be of prior date to the patent, the grant of which is opposed; or
  - (c)** that the nature of the invention or the manner in which it is to be performed is not sufficiently or fairly described and ascertained in the specifications; or
  - (d)** that the invention has been publicly used in any part of Bangladesh or has been made publicly known in any part of Bangladesh; or
  - (e)** that the complete specification describes or claims an invention other than that described in the provisional specification, and that such other invention either forms the subject of an application made by the opponent for a patent which if granted would bear a date in the interval between the date of the application and the leaving of the complete specification, or has been made available to the public by publication in any document published in Bangladesh in that interval;
- but on no other ground.

**(2)** Where such notice is given, the Registrar shall give notice of the opposition to the applicant, and shall, on the expiration of those four months, after hearing the applicant and the opponent, if desirous of being heard, decide on the case.

**(3)** The decision of the Registrar shall be subject to appeal to the Government.

## Different Ground of revocation:

subsection 1 of section 26 of Patent and Design Act 1911-

26. (1) Revocation of a patent in whole or in part may be obtained on petition to or on a counter claim in a suit for infringement before the High Court Division on all or any of the following grounds, namely:-

- (a) that the invention has been the subject of a valid prior grant of a patent in Bangladesh;
- (b) that the true and first inventor or his legal representative or assign was not the applicant or one of the applicants for the patent;
- (c) that the patent was obtained in fraud of the rights of the person applying for the revocation or of any person under or through whom he claims;
- (d) that the invention was not, at the date of the patent, a manner of new manufacture or improvement; (e) that the invention does not involve any inventive step, having regard to what was known or used prior to the date of the patent;
- (f) that the invention is of no utility;
- (g) that the complete specification does not sufficiently and fairly describe and ascertain the nature of the invention and the manner in which the invention is to be performed;
- (h) that the complete specification does not sufficiently and clearly ascertain the scope of the invention claimed;
- (i) that the patent was obtained on a false suggestion or representation;
- (j) that the primary or intended use or exercise of the invention is contrary to law;
- (k) that the patentee has contravened, or has not complied with, the conditions contained in the patent; (l) that the complete specification does not disclose the best method of performance of the invention known to the applicant for the patent at the time when the specification was left at the Department of Patents, Designs and Trade Marks.
- (m) that prior to the date of the patent, the patentee or other persons (not being authorities administering any department of Government, or the agents or contractors of, or any other persons authorised in that behalf by the Government secretly worked the invention on a commercial scale (and not merely by way of reasonable trial or experiment) in Bangladesh, and thereby made direct or indirect profits in excess of such amount as the Court may in consideration of all the circumstances of the case deem reasonable;
- (n) that the invention claimed in the complete specification is not the same as that contained in the provisional specification, and that the invention claimed, so far as it is not contained in the provisional specification, was not new at the date when the complete specification was filed: Provided that this sub-section shall have effect in relation to the ground of revocation specified- (i) in clause (b), subject to the provisions of section 78A, or (ii) in clause (d), subject to the provisions of sub-section (1) of section 13, sub-section (12) of section 21A, section 38 and section 40.

## Copyright

Copyright refers to the legal right of the owner of intellectual property. In simpler terms, copyright is the right to copy. This means that the original creators of products and anyone they give authorization to are the only ones with the exclusive right to reproduce the work.

Copyright law gives creators of original material the exclusive right to further use and duplicate that material for a given amount of time, at which point the copyrighted item becomes public domain.

## Copyright Infringement

Copyright infringement is the use or production of copyright-protected material without the permission of the copyright holder. Copyright infringement means that the rights afforded to the copyright holder, such as the exclusive use of a work for a set period of time, are being breached by a third party. Music and movies are two of the most well-known forms of entertainment that suffer from significant amounts of copyright

infringement. Infringement cases may lead to contingent liabilities, which are amounts set aside in case of a possible lawsuit.