

GTS231: Law and Technology

Final Mock Exam

from James Dean and Google and The Peanuts

Name.....ID.....Section.....Seat No.....

Conditions: Closed Book

Directions:

1. This exam has 16 pages (including this page).
2. Students are encouraged to sigh every $\int_0^\infty x^3 e^{-(118)^{-1/2}x^2} dx$ seconds.
3. Write your name, or your pseudonym.
4. Reading the problem is optional but highly recommended.
5. Solutions can be written in English or Thai.
6. Students may not escape through Windows or macOS.

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Part A: Multiple-Choice Questions (5 marks)

1. According to Thai law, which of the following is considered a property?

1. Physical objects only
2. Incorporeal objects with value only
3. Both corporeal and incorporeal objects that have value
4. Only objects that can be physically possessed

2. Under Thai Electronic Transactions Act, when is a data message considered received?

1. When the sender clicks send
2. When it enters the addressee's information system
3. When the addressee reads the message
4. When the addressee responds to the message

3. In Thai copyright law, which of the following is NOT protected?

1. Musical compositions
2. Scientific theories
3. Dramatic works
4. Artistic works

4. According to Thai Computer Crime Act, what is the minimum period a service provider must maintain traffic data?

1. 30 days
2. 60 days
3. 90 days
4. 120 days

5. Under Thai law, which statement about wrongful acts is correct?

1. Only intentional acts can be wrongful
2. Only acts causing physical damage are wrongful
3. Both negligent and intentional acts can be wrongful
4. Only acts against property can be wrongful

6. Under Thai Electronic Transactions Act, which statement about a declaration of intention is correct?

1. It must always be in writing
2. It cannot be made through electronic means
3. It may be expressed in the form of a data message
4. It requires physical signatures only

7. Under Thai law, what is the primary purpose of tort law?

1. Punishment of wrongdoers
2. Compensation for injury
3. Prevention of future crimes
4. Social rehabilitation

8. Which action is NOT considered unauthorized access under Thai Computer Crime Act?

1. Accessing a system with permission
2. Guessing a password successfully
3. Using someone else's login credentials
4. Breaking encryption codes

9. In Thai copyright law, what happens to a work after copyright protection expires?

1. It becomes government property
2. It becomes public domain
3. It transfers to the creator's heirs
4. Protection is automatically renewed

10. Under Thai law, which is NOT a valid way to transfer intellectual property rights?

1. Sale
2. Inheritance
3. Verbal agreement
4. Written contract

11. According to Thai law, which of the following is an essential characteristic of a valid juristic act?

1. It must be in writing
2. It must be voluntary
3. It must involve multiple parties
4. It must be registered with authorities

12. Under Thai law, what happens to the validity of a declaration of intention if the person making it dies after sending but before it reaches the recipient?

1. The declaration becomes void immediately
2. The declaration remains valid
3. The declaration requires court approval
4. The declaration must be renewed by heirs

13. Which activity is legally permitted under Thai copyright law?

1. Copying software for resale
2. Making backup copies for maintenance
3. Distributing copies to friends
4. Modifying code for commercial use

14. Under Thai law, when is an employer liable for employee actions?

1. Only during work hours
2. Only for intentional acts
3. When acts are in course of employment
4. Never liable for employee actions

15. Under Section 28 of the Criminal Law Code, if police officers come to search your house, which statement is correct?

Section 28: A person shall enjoy the right and liberty in his or her life and person.

Arrest and detention of a person shall not be permitted, except by an order or a warrant issued by the Court or on other grounds as provided by law.

Search of a person or any act affecting the right or liberty in life or person shall not be permitted except on the grounds as provided by law.

Torture, brutal acts or punishment by cruel or inhumane means shall not be permitted.

1. You can refuse all searches based on Section 28 alone
2. Police can search only if they have a court warrant or other legal grounds
3. Section 28 completely prohibits all police searches
4. Police can search without any legal requirements

16. Under Thai law, who bears liability for damage caused by an animal?

1. Only the owner
2. Only the keeper
3. Both owner and keeper
4. Whoever last fed the animal

17. What is the status of computer programs under Thai patent law?

1. Always patentable
2. Never patentable
3. Patentable with technical effect
4. Patentable if novel

18. According to Thai Personal Data Protection Act, which of the following is a valid reason for collecting personal data without the data subject's consent?

1. For marketing purposes
2. For preventing danger to a person's life, body or health
3. For increasing company profits
4. For building a customer database

19. What is the maximum period for traffic data retention that can be ordered by officials?

1. 1 year
2. 2 years
3. 3 years
4. 5 years
5. Forever and Always (yeah)

20. Which of the following scenarios would NOT be considered defamation under Thai law?

1. Telling your coworker truthful but damaging information about your manager's past business failures
2. Writing false negative reviews about a restaurant on social media to harm their business
3. Spreading untrue rumors about someone's personal life to their friends
4. Sending emails containing false accusations about a person to their business partners

Part B: Fill-in-the-blank Questions (10 marks)

Instructions: Fill in the blanks with appropriate legal terms. Each question is worth 0.5 marks.

1. According to Thai law, _____ begins with the full completion of birth as a living child and ends with death.
2. A person who wilfully or negligently, unlawfully injures the life, body, health, liberty, property or any right of another person, is said to commit a _____.
3. Under Thai Electronic Transactions Act, the _____ is deemed to occur when such data message enters an information system outside the control of the originator.
4. A declaration of intention made to a person in his _____ takes effect from the time when it becomes known to receiver of the intention.
5. A person who, without specifying a period for acceptance, makes an offer to another at a distance _____ within a time within which notice of acceptance might reasonably be expected.
6. A _____ is void if it is subject to an unlawful condition or a condition contrary to _____ or _____.
7. A person shall be criminally liable only when such person _____, except in case of the law provides that such person must be liable when such person _____, or except in case of the law clearly provides that such person must be liable _____.
8. A person, on the completion of _____ years of age, ceases to _____.
9. A(n) _____ can come into existence only by virtue of this Code or of other law.
10. Sale is a contract whereby a person, called _____, transfers to another person, _____, _____.
11. A(n) _____ is a person intended by the originator to receive the data message and who actually receives it.

12. A fingerprint, cross, seal, or other such mark affixed to a document instead of a signature must be certified by the signature of _____ witnesses.
13. A(n) _____ is information generated, sent, received, stored, or processed by electronic means.
14. The receipt of a data message is deemed to occur from the time when such data message enters an _____.
15. A(n) _____ is a person who, on behalf of another person, sends, receives, or stores a particular data message.
16. Sale of immovable property is void unless it is made in _____ and registered by the _____.
17. Information shall not be denied legal effect and enforceability solely on the ground that it is in the form of a _____.
18. A(n) _____ or acceptance in entering into a contract may be expressed by means of a data message.
19. A(n) _____ is a person by whom the data message purports to have been sent or generated.
20. A person shall be criminally punished only when the act done by such person is provided to be an _____ and the punishment is defined by the law.

Part C: Written Answer Questions (20 marks)

Question 1

Mr. Somchai created a computer virus program and installed it on multiple USB drives. He then distributed these USB drives to random people at a shopping mall, knowing that when plugged in, the virus would steal their personal data stored in their computers. Ten people who received the USB drives plugged them into their computers, resulting in their personal data being stolen. Using relevant legal principles, analyze whether Mr. Somchai committed any offence under the Thai Computer-related Crime Act.

Question 2

Mr. Bank, a skilled hacker, broke into Banana Corporation's headquarters late at night by picking the lock of their server room door. Once inside, he used his laptop to hack into their main server, which was protected by password authentication and firewall systems. He successfully accessed confidential company data. Using relevant legal principles, analyze Mr. Bank's criminal liability under Thai law.

Question 3

Mr. Decha is employed as an IT administrator at ABC Company Limited. During work hours, he used the company's computer system to send spam emails containing false advertisements to thousands of people. The company's management was unaware of his actions. Analyze the potential legal liabilities of both Mr. Decha and ABC Company Limited under relevant Thai laws.

Question 4

A university professor made copies of copyrighted textbooks and distributed them to students in his class without charging any fee. The professor claimed this was for educational purposes. Analyze whether this action constitutes copyright infringement under Thai Copyright Act. Support your answer with relevant legal principles.