

Contracting & Licensing

Contract Law - :

- **Contract Law**
- **Controls** **legally enforceable promises,**
between two or more parties.
- **These promises** **establish a relationship**
that can be enforced in a court of law
if one party fails to fulfill their
obligation.

- താർക്കി ഭരണത്തിന് കീഴിൽ കിരീടം നൽകി.
- മിതവാദിയായിരുന്നു. അദ്ദേഹം ക്രൈസ്തവ മതം സ്വീകരിച്ചു.
- മറ്റ് താർക്കിയുടെയും ഒരു ~~പ്രതിനിധി~~ പ്രതിനിധി.
- ഉദ്യമം. പുനഃസംഘടന. ഉദ്യമം, പുനഃസംഘടന. അദ്ദേഹം ക്രൈസ്തവ മതം സ്വീകരിച്ചു.
- അദ്ദേഹം ക്രൈസ്തവ മതം സ്വീകരിച്ചു.

contract = Consideration + offer + COA + Acceptance.

Elements of a Contract -!

- ✓ Consideration → Thing of value.
 - offer → offerer & offeree 2nd statement also.
- ✓ Acceptance → offer must accept or reject කරන්න යුക്തമാണ്.
- ✓ Capacity → കിടമ ജിടയന്നു വ്യാപാരി contracts ചെയ്യാൻ യോഗ്യമാണ്. 24.18 ↓ ചായി സി.
- Lawful purpose → Legally parties 2 വ്യാപാരിക്കൾക്കു ബാധകമാണ്.

① Consideration

- Refers to the "Thing of value" that each party commits to the agreement. കീഴ്ചയ്ക്കുവാനായി ധനം മറ്റ് ആർക്കുവേണ്ടി കൈമാറുന്ന വസ്തു.
- It's something promised or exchange by each party, without which the contract cannot be enforced. ഇരുപാർക്കുമായി വാഗ്ദാനം ചെയ്യപ്പെട്ടതും അതിന്റെ പരസ്പരം വിനിമയം കരാർ ബാധ്യതയെപ്പറ്റി ഉറപ്പുവരുത്താൻ ആവശ്യമായതും.

(03) Capacity

- Refers to the legal ability of each party to enter to the contract and commit themselves to its terms.

Contract ചെയ്ത enter ചെയ്ത ഒരു പക്ഷ terms ഉള്ള മറ്റ് പക്ഷ party ചേർത്ത് commit ചെയ്ത legal ability ഉണ്ട്.

- legal age is considered.

Key points about acceptance -:

(1) Unequivocal acceptance.

- ഒരു കാര്യം, add കാര്യം ഒന്ന്.

(2) Communication ഒന്ന് ചെയ്ത ഒരു കാര്യം.

- ~~offerer's acceptance~~ Acceptance ഉണ്ട് valid ആണ് offerer (offerer-നെ).

Communicate ചെയ്യണം.

(3) Mirror Image Rule:

- Offer ചെയ്ത terms, acceptance ഉണ്ട് ഉണ്ട് exactly mirror ആണ്.

(4) Acceptance & Silence.

Acceptance must be explicit.

(5) Mailbox Rule.

- Mails through acceptance communicate ചെയ്ത മുമ്പെന്ന് it, seal ചെയ്ത അത് acceptance (reject) ചെയ്ത.

(04) Offer.

- A statement / communication
- To one party (offerer) to the other (offeree).
- expressing the offerer's willingness to engage in a contract.

Offers

- verbal
- written
- implied.

, An offer contains :

- * specific promise
- * specific demand.

* promise must clear and defined enough, to meet the standards of contract law. contract law standards meet മലിന, promise മല clear and well defined മലമലിന.

* Offer must be communicated to the offeree (മലിന) for it to be valid. offer മല valid മലിന offer മല മലിന മല communicate മലമലിന.

* Counteroffer → an offer made in response to another offer.

original offer മല reject മലിന offer മല മല reject മലിന മലിന.

(05) Lawful purpose.

- The purpose of the contract must be legal and not against public interests.

Contract മല purpose മല legal മല മല. public interests മല മലിന മലിന മലിന.

Termination of an offer

offer termination ☒

contract termination. ☒

3 Steps

① Revocation

- Can he revoke ?
- Did he revoke ?

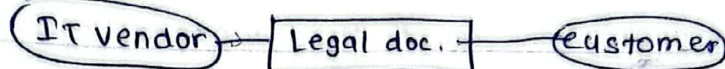
② Lapse of Time

- After a reasonable time an offer can be terminated.

③ Rejection.

What is an IT contract?

- A legal document
- In between IT vendor and customer

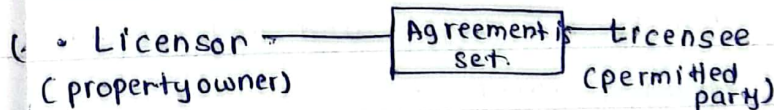


- when order goods over the internet
- when sell time as a web developer

- License Agreement
- Development services Agreement
- IT Support Agreement
- Development services Agreement

Licensing Agreement

- A legal, written contract
- between two parties.
- where the property owner gives permission to the other party to use their brand, patent or trademark.



What's include in a Licensing Agreement?

- General info
 - patent
 - trademark
 - software usage
 - secrets.
- Involved Parties
 - Licensor
 - Licensee.
- Terms
- Additional details.
 - governing law.
 - breach of contract
 - modification
 - non exclusivity.

Why licensing agreement is important in Computing / IT Firms?

- Defines the terms under which software, technology or intellectual property is used, distributed and shared.
- establish
 - rights → limitations &
 - responsibilities of both parties.
- Help to protect intellectual property, boundaries.

Intro to Law & legal system in SL

Ethics

- Unwritten principles.
- purpose → To create morally right people in the society.
- No punishments for violating.
- A guidance to computer users.
- Presented by philosophers, religious and professional groups.

Law

- Formal / written documents
- Purpose → To create an orderly society devoid of evil and injustice.
- Punishments ✓
- Rule to control computer users
- Establish by legislature.

What is Law?

- A rule made by an authority ^(സംസ്ഥാനം)
&
- That must be obeyed.
- law മനസ്സ് കീഴടക്കി rule മെക്ക. മറ്റു
നമുക്കു കീഴടക്കി authority മെക്ക. മറ്റു
മറ്റു മറ്റു obey ചെയ്യണം.
- A law is commonly made by the government. Authority → government
- Citizens must follow or face punishments. മറ്റു laws follow ചെയ്യണം, മറ്റു punishments.
- Main Law of the country } → ~~Constitution~~ Constitution

Legislature മെക്ക. മറ്റു മറ്റു

- * Exercised by parliament
- * consisting of elected representative of the people
- * responsible → making Laws.

Executive മെക്ക. മറ്റു

- * Including the defense of SL.
- * Shall be exercised by the president of the Republic, elected by the people.

Judiciary മെക്ക. മറ്റു

- Supplementing the law when there's no specific statute addressing in a particular issue.

classification of Law.

Criminal
Law

Civil Law

Criminal Law

- Punishment by imprisonment, penalty or death.

ഒരു കുറ്റം ചെയ്തതിന്, ശിക്ഷിക്കാനുള്ള നിയമം (പ്രതികരണം → punishments).

- The alleged person → accused
ഇതേ പ്രതിതരണം ഇതിനാൽ.

- It should be proved beyond a reasonable doubt.

→ Robbery അക്രമം ചെയ്യുക.

→ Hurt മുറിവേല്പുക.

→ Rape

→ Death

→ fraud മോഷണം

Civil Law

- Damage or other relief. നഷ്ടം.

- Person sustained damage or breach must institute legal proceedings.

നഷ്ടം നേടിയവർ നിയമപരമായ നടപടികൾ സ്വീകരിക്കേണ്ടതുണ്ട്.

- Plaintiff & defendant parties are there.

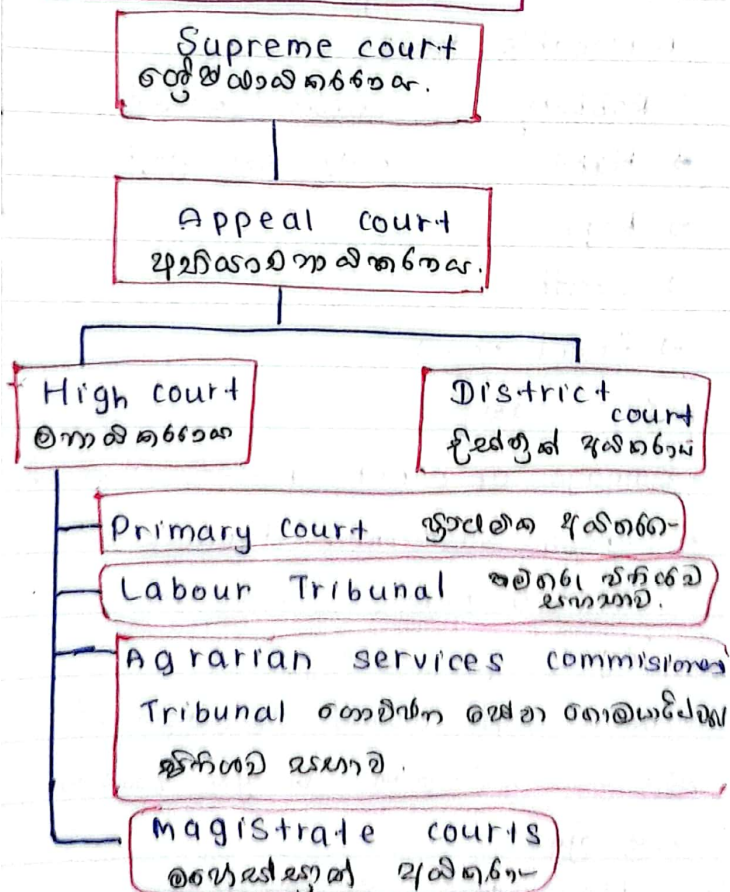
പ്രതികരണം

പ്രതിവിരുദ്ധത.

Sources of Law -

- ① Legislation or statutes ***
- ② Case Law
- ③ Customs
- ④ Personal Laws
 - Kandyan Law
 - Thesewalamai Law
 - Muslim Law.
- ⑤ Roman Dutch Law
- ⑥ English Law.

Court System of SL



Supreme court

- The highest & the final appellate court of Republic of SL.

(සුප්‍රියම් කොට්ඨාසයේ ඉහළම හා අවසාන අභියාචනාධිකරණය).

- consisting of the

(1) Chief Justice අගවිචිත්‍රපති

(2) 6 < other judges > 10.

6 < අනෙක් විචිත්‍රපති > 10.

6 ↑ 10 ↓

- Both Supreme court & court of Appeal have the power to punish the contempt of such court, and the power to punish for contempt of any other court, tribunal or institution

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හා තෙවන වරට අධිකරණයට හෝ

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Court of Appeal

- established by chapter XV.

- 6 < Judges > 11

- Tries parliamentary election

petitions තර්ජනවලට ප්‍රතිචාරයක් ලෙස

විනය කරයි.

- Issue injunctions and examinations

of records of courts of first

instance. පළමු අවස්ථාවේ දෙවන වරට

පරීක්ෂණ කිරීම, අනුකූල කිරීම බලය ඇත.

High Court

- Established under the constitution has the power and authority to hear, try and determine all prosecutions on indictment.

ආර්ථික වෙනසට හේතු වන්නේ සමාජයේ
මිනිසුන්ගේ, අධ්‍යාපන, සෞඛ්‍ය
සේවා, සහ වාණිජ ක්ෂේත්‍රයේ, සේවා
සහ වාණිජ ක්ෂේත්‍රයේ සේවා
වැඩි වීමයි.

- Jus Jurisdiction in regard to offences committed abroad aircraft and within the territorial air spaces.

എഴുത്തുന്ന ഒരു രാഷ്ട്രത്തിന് എന്ത് ചരിത്രമുണ്ട്
 ഈ രീതി ഒരു വലിയ ചരിത്രമെഴുതുന്ന
 ദൈവമായ ഒരു ദൈവം.

District Court

- A district court has an unlimited civil legal authority in all civil, trust, revenue, bankruptcy and legal cases. ജീവൽ, വീട്, വാഹനം,

24. දායවි, බරතලොත් වාහල මාත
 අනුමිත ස්වර්ග් ඉයතන මලය ජාත.

① District courts have been released from handling family related cases and family courts were established.

දිනපත්‍රයේ දැනට මගින් ඇල් ප්‍රශ්න තිබේ.
තවද එය එක පමණක් ඇතිව
නිවැරදි වේ.

