

PART – A (2 Marks)

Q.No.	Question	Max. Marks	CO-L Level	PO-PI Code
1.	<p>I suspect that my IP rights have been infringed. What can I do ?</p> <p>Ans. : When you become aware about the possible unlawful use of your rights by third parties, should precisely identify the alleged infringers in order to eventually bring to an end to the infringing activity. There are several ways to enforce your IP rights, ranging from relatively simple measures to complex litigation. Court proceedings are costly and lengthy and therefore other preliminary tools should be used so as to prevent subsequent litigation. In many cases private negotiation via legal professional is more effective and should be considered as a viable option.</p>	02	CO5-K3	1.6.1
2.	What are civil and administrative procedures and remedies for enforcement of IP rights	02	CO 5-K2	1.2.1

	<p>according to TRIPS agreement ?</p> <p>Ans. : The TRIPS agreement provides that a right holder must be able to initiate fair and equitable civil judicial procedures against an infringer of IP rights covered under the agreement. It also contains disciplines on evidence, the right of information and indemnification of the defendant. Judicial authorities must be able to award three types of remedies: injunctions to order a party to stop its infringing action, damages to compensate for the injury caused by the infringement, as well as other remedies, such as the removal of infringing goods from channels of commerce or their destruction, subject to certain conditions. Some national legal systems deal with certain IP enforcement cases through administrative procedures, rather than court proceedings.</p>			
3.	<p>If an independent third party develops a program for a company, who owns the copyright?</p> <p>Ans. : The copyright in works created by third parties on commission do not automatically belong to commissioning party. If the third party is an independent contractor, it is essential for the commissioning party to obtain the copyright through a written deed of assignment. It is a common misconception that the copyright automatically belongs to the commissioning party. Thus, it is only where the developer is an employee creating the work under a contract of service that the rights belong to the employer</p>	02	CO5-K3	2.5.1

	service that the rights belong to the employer			
4.	Can I use someone else's song without their permission ? Can someone use my song without my permission ? Ans. : The legal use of music is more complicated than it is for other forms of	02	CO5-K3	1.5.1

	intellectual property. Many uses of your music, such as public performances of your music and the use of it on non-interactive digital streaming services, are available to third parties through license agreements with BMI, ASCAP, SESAC, and Sound Exchange. However, to create a remix or a cover version of a song, you need permission from the owner of the rights to the original music or sound recording.			
5.	Enumerate about a cease and desist letter ? Ans. : It is a common practice to approach the person who is supposedly infringing your IP rights by sending a letter of demand, also known as "cease and desist letter". The letter will advise the alleged infringer that a court action may be taken if the infringing activities do not stop within a certain period of time.	02	CO5-K2	1.6.1
6.	Mention some copyright infringement issues? Ans.: Copyright infringement (colloquially referred to as piracy) is the use of works protected by copyright law without permission for a usage where such permission is required, thereby infringing certain exclusive rights granted to the copyright holder, such as the right to reproduce, distribute, display or perform the protected work, or to make derivative works. The copyright holder is typically the work's creator, or a publisher or other business to whom copyright has been assigned. Copyright holders routinely invoke legal and technological measures to prevent and penalize copyright infringement	02	CO5-K2	2.5.1
7.	What may be the punishment in case of IP	02	CO5-	1.2.1

	infringement			
7.	What may be the punishment in case of IP infringement cases? Ans.: In this context, two different proceedings can take place; civil actions and criminal prosecution. Bringing a civil action	02	CO5-K3	1.2.1

	to the court means that you are about to enforce your IP rights by filing a lawsuit for infringement in a national specialized civil court. That is to say, you are applying for a preliminary or permanent injunction or other forms of interim measures (i.e. seizure of bank account) and claiming for a compensation through the award of damages. Other relief measures may also be confiscation as well as the destruction of illegal goods. It is to be noticed that since IP legal proceedings are rather costly, you are advised to anticipate an approximate budget for enforcement litigation and insuring the organisation against the financial costs linked to it.			
8.	Enumerate the criminal procedures under TRIPS agreement for enforcement cases? Ans.: Under the TRIPS agreement, criminal procedures and penalties are only mandatory in cases of willful trademark counterfeiting or copyright piracy carried out on a commercial scale. Members may, but are not obliged to, provide for criminal procedures to be applied in other cases of infringement of IP rights, in particular where those are committed willfully and on a commercial scale.	02	CO5-K3	1.6.1
9.	What action can be taken in case of design infringement? Ans.: In regard to design infringement, you may, through the court civil procedures, seek an injunctive order against the infringement, demand damages, demand the restitution of unjust enrichment, or demand measures for	02	CO5-K3	2.5.1

	the recovery of reputation. Further, if the infringement case turns criminal, the alleged infringer may be found punishable as a result of court criminal procedures.			
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10.	<p>Elucidate the concept of “ poor man's copyright “</p> <p>Ans. : The idea behind poor mans copyright is that if you mail yourself a copy of your work and leave it unopened, the official federal date can be used to enforce copyright infringement protection. This is a nice idea, but it doesn't work. In order to have access to the courts, you need to register your work with the Copyright Office, which you can do yourself online at copyright.gov, with the help of an attorney.</p>	02	CO5-K2	1.6.1
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PART – A (2 Marks)

Q.No.	Question	Max. Marks	CO-L Level	PO-Pl Code
1.	<p>Getting patented is a painstaking process, complex as well costly to undergo. Therefore, being an option not possible for small scaled tech companies. Not only is costly, it does not secure that execution of the idea. In order to secure this, another form of protection is to be used can you mention it.</p> <p>Cubix is exposed to the most commonly voiced queries of clients that address issues related to protecting the source code and non-disclosure of the idea along with the proprietary algorithms to third parties.</p>	02	CO 4-K3	1.6.1
2.	<p>The most common reason for identity theft is improper management of sensitive personal data. There are some things to be avoided when dealing with personally identifiable data mention it.</p> <ul style="list-style-type: none"> • Never share your Aadhar/PAN number (In India) with anyone whom you do not know/trust. • Never share your SSN (In US) with anyone 	02	CO 4-K2	1.2.1

	<p>whom you do not know/trust.</p> <ul style="list-style-type: none"> • Do not post sensitive data on social networking sites. • Do not make all the personal information on your social media accounts public. • Please never share an Aadhar OTP received on your phone with someone over a call. • Make sure that you do not receive unnecessary OTP SMS about Aadhar (If you do, your Aadhar number is already in the wrong hands) • Do not fill personal data on the website that claim to offer benefits in return. 			
3.	<p>Elucidate IPR Violation. Mention some.</p> <p>IPR violations : These include software piracy, copyright infringement, trademarks violations, theft of computer source code, patent violations, etc.</p>	02	CO 4- K3	2.5.1
4.	<p>Do you think cyber laws are needed? Justify your answer.</p> <p>Ans. : Yes, The realm of cyberspace which is largely dependent upon the internet and use of technology, incidents of cybercrimes are reported to have increased. To protect one from cybercrime, there was a need for cyber laws and so the implementation of cyber laws in India began in the year 2000, with the IT Act as an introduction to Indian Cyber Law.</p>	02	CO 4-K2	1.5.1
5.	<p>List some popular cybercrime that you know.</p> <p>Identity- theft</p> <p>Cyber-terrorism</p> <p>Cyber-bullying</p> <p>Hacking</p>	02	CO 4- K2	1.6.1

6.	<p>Mention some advantages of Cyber Laws.</p> <p>Ans. : Advantages of cyber laws are;</p> <ul style="list-style-type: none"> • Secured E-Commerce Infrastructure for online businesses. • Digitally sign your contracts/ papers. • Introduced new businesses for Certifying 	02	CO 4-K3	2.5.1
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	<p>Authorities.</p> <ul style="list-style-type: none"> • Proficient use of E-Forms as prescribed. • Secured websites with Digital Certificates. • Meticulous monitoring on the web traffics. • Electronic Transactions safeguarded. • Emails are a legal form of communication and are approved in the court of law. 			
7.	<p>Mention some issues addressed by IT Act. Also, Mention its amendments.</p> <p>The IT Act addresses the important issues of security, which are critical to the success of electronic transactions. The Internet Laws in India not only validates digital signatures but also provides for how authentication of the documents, which has been accepted and generated by using the digital signatures, can be done.</p> <p>the Information Technology Law was amended under ; the Indian Penal Code, the Indian Evidence Act, the Banker's Book Evidence Act, the Reserve Bank of India.</p>	02	CO 4-K3	1.2.1
8.	<p>Do you think unfair competition diminishes reputation of any company or individual?</p> <p>Ans. : Yes, All forms of deceptive trade practices can diminish the value associated with a commercial activity, product, service, or business value by confusing consumers, diverting sales, tarnishing reputations of goods, services, and commercial activities and can result in economic loss as well as injury. For example, a consumer may suffer injuries by mistakenly purchasing substandard products/services thinking they are related to another company or manufacturer.</p>	02	CO 4 K3	1.6.1
9.	<p>List out the thrust areas of top digital solutions.</p> <p>Ans. : The top digital solutions focus on the following 3 areas:</p> <p>Customer, Partner or Supplier Engagement</p> <p>Product and Service Innovation</p> <p>Internal Systems Processing, Reporting, or Access</p>	02	CO 4- K2	2.5.1

	Access			
10.	<p>If a student has developed an app. Can he can get the patent?</p> <p>Ans. Patent protection for an app depends</p>	02	CO 4-K3	1.6.1

	<p>on which element of your app you wish to protect. If you want to protect a technical idea or feature relating to the app, patent protection is a potential option. You must be mindful however that your technical idea must meet all of the patentability requirements to obtain patent protection, and it may take years to get a patent.</p>			
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PART - B (13 Marks)