**JECRC UNIVERSITY, Jaipur**

**MCA III Semester**

**UNIT-5 (Prohibited Action on Cyber) Assignment**

**Subject: - Internet Security and cryptography**

**Course Code: MCA207A**

**Date of Release: 20 Dec 2022 Submission Date: 28 Dec 2022**

**CO5:** Awareness of Prohibited actions on Cyber, Cyber Squatting Banking/Credit card related crime Ecommerce

# PART – A (1\*15 = 20 Marks)

1. [CO5] Intellectual Property Rights are an important aspect in international trade. Which of the following is covered under IPR? a) Patents
   1. Copyrights
   2. Trademark
   3. All of these
2. [CO5] On a school computer, Jamie learned how to copy programs. A classmate asked her to copy a program for his home use. Her most ethical response would be which of the following?
   1. I’ll copy it, but you have to promise not to tell anyone.
   2. I don’t know how to copy disks.
   3. I can’t copy it because it will break copyright laws.
   4. I’ll copy it for you, but you can’t copy it for anyone else.
3. [CO5] Patent can be granted for ………?
   1. Process
   2. Ideas
   3. both product and process
   4. product
4. [CO5] Government may order the non-advertisement of any patent application in the case of invention related to \_\_
   1. Information technology
   2. Food
   3. Drug
   4. Defence technology
5. [CO5] Patent Act is passed by …
6. State Government
7. Central / Federal Government
8. Either a or b
9. None of these
10. [CO5] Can lecture delivered in the classroom be copyrighted?
    1. Yes
    2. Occasionally with conditions
    3. No
11. [CO5] In the case of infringement of patent, the court may award ……….
    1. Damages or account of profits
    2. Account of profits with mental agony
    3. Damages and account of profits
    4. Damages with mental agony
12. [CO5] Which of the following is not the infringement of copyright?
    1. Copy the software to another computer by educational institution
    2. Copy the software to another computer by company
    3. Copy the software to another computer
    4. To make backup copies
13. [CO5] Any person who knowingly makes use on a computer of an infringing copy of a computer programme shall be punishable under section – a) Section 66A
    1. Section 66B
    2. Section 66C
    3. Section 66D
14. [CO5] Which of the following protect against Software Piracy –
    1. do not get installed unless the key is verified online
    2. do not run-in full mode unless USB drive supplied by the vendor is available for verification like accounting software BUSY
    3. may include a security mechanism that can detect the installation or use of illegal copies
    4. All of above
15. [CO5] Which Section deals with cyber terrorism?
    1. Section 66C
    2. Section 66B
    3. Section 66D
    4. Section 66F
16. [CO5] What is the penalty for destroying computer source code?
    1. Three years imprisonment or 5 lakh Rs. or both
    2. Three years imprisonment or 2 lakh penalty or both
    3. Three years imprisonment or 1 lakh Rs. or both
    4. Two years imprisonment or 2 lakh Rs. or both
17. [CO5] Does online sexual harassment come under cyber stalking?
    1. No, as cyber stalking is different from online sexual harassment.
    2. No, as online sexual harassment is making graphical remarks and stalking is following a person online everywhere.
    3. I do not know
    4. Yes, both deal with online harassment.
18. [CO5] Followings are about to credit card "skimming"? Statement 1: making an illegal copy of a credit card

Statement 2: reads and duplicates the information from the original card

Statement 3: stolen of credit card

* 1. statement 1 and 2 are correct
  2. statement 2 and 3 are correct
  3. statement 1 and 3 are correct
  4. all statements are correct

1. [CO5] Section 66C IT Act, 2000 says –
   1. “Whoever by any device tries to do cheating by personation shall be punished with imprisonment up to three years and a fine up to one lakh rupees”
   2. “Whoever commits forgery for the purpose of cheating shall be punished with imprisonment up to seven years and shall also be liable to fine.”
   3. “Whoever by fraudulently or dishonestly uses a document which he knows to be false shall be punished with the same punishment as if he has forged such document.”
   4. Whoever commits forgery for the purpose of cheating shall be punished with imprisonment up to seven years and shall also be liable to fine.”

# PART – B (5\*2 = 10 Marks)

1. [CO5] Define Pornography.

Pornography (often shortened to porn or porno) is the portrayal of [sexual](https://en.wikipedia.org/wiki/Human_sexual_activity) subject matter for the exclusive purpose of [sexual arousal](https://en.wikipedia.org/wiki/Sexual_arousal). Primarily intended for adults, pornography is presented in a variety of media, including [magazines](https://en.wikipedia.org/wiki/Pornographic_magazine), [art](https://en.wikipedia.org/wiki/Erotic_art), [literature](https://en.wikipedia.org/wiki/Erotic_literature), [photography](https://en.wikipedia.org/wiki/Erotic_photography), [audio](https://en.wikipedia.org/wiki/Spoken_word_album), [film](https://en.wikipedia.org/wiki/Pornographic_film), [animation](https://en.wikipedia.org/wiki/Cartoon_pornography), and [video games](https://en.wikipedia.org/wiki/Sexual_content_in_video_games).

1. [CO5] What do you mean by IPR infringement?   
   Intellectual property infringement is basically using someone else's Intellectual property without the consent of the owner of that Intellectual Property
2. [CO5] Differentiate between cyber stacking and cyber bulling.

**Cyber-stalking** is an act when an individual tries to **gain information** about a person like their birthdays, address, pictures of where they have been and who they meet **using social media** apps **without** **ever meeting them, taking to them or** **knowing them**. Cyber-bullying is an act of harming or harassing an individual or a group by posting insulting remarks, sending threatening massages send by text messages or e-mail, spreading damaging rumours, posting embarrassing and private photos and videos on social media sites.

1. [CO5] Define software piracy.

Software piracy is the illegal copying, installation, use, distribution, or sale ofsoftware in any way other than that is expressed in the license agreement.

1. [CO5] What are the works conferred under section 13 of the Copyright Act 1957, copyright protection.

Works conferred under section 13 of the Copyright Act 1957, copyright protection are original literary, dramatic, musical and artistic works and cinematograph filmsand sound recordings from unauthorized uses.

# PART – C (5\*6 = 30 Marks)

1. [CO5] Explain the remedies for IPR.

**Injunctions:** An injunction is the most common remedy for all IPR infringements. Injunctions are court orders that require named individuals to refrain from doing certain specified acts (eg using the IPR owner’s intellectual property).

**Damages or account of profits:** Where a profit has been made as a result of the IPR infringement, the IPR owner may be entitled to compensation. The courts can award such compensation in the form of damages or an account of profits. Damages usually cover the value of the damage done to the IPR owner, while an account of profits covers the profits that the infringing party has made as a result of their infringement.

**Award of costs:** An award of costs is a court order stating that one party has to pay to another party the costs incurred in issuing legal proceedings. An award of costs can either be for the full amount or for a proportion (eg ⅔) of the costs incurred.

**Delivery and / or destruction of infringing items:** While there is no automatic entitlement to the delivery up or destruction of infringing items (or materials) and items used to make such infringing items, the courts may make such an order when infringement is shown. This relief is typically granted by the courts in addition to an injunction.

**Tracing orders:** The courts may also make tracing orders which order the infringing party to provide information on where they acquired the infringing items. This is generally used where the infringing party did not create the infringing items themselves.

1. [CO5] In case of a criminal proceeding in trademark infringement, what types of punishment dictated by the court?

In the case of a criminal proceeding, the court dictates the following punishment:

1. Imprisonment for a period not less than six months that may extend to three years
2. A fine that is not less than Rs 50,000 that may extend to Rs 2 lakh
3. [CO5] What are different measures for detecting and preventing credit card fraud?

Here are a few credit card fraud detection tips to follow:

* Review billing statements on your cards carefully every month.
* Look out for suspicious, inconsistencies, inexplicable, and unauthorized transactions. The size of these transactions does not matter since attackers tend to attempt smaller transactions to validate the cards.
* *If you note any inexplicable/ unauthorized charges or activities, immediately report them to the card issuer.*
* While you can and must manually monitor your financial accounts and card transactions, you should sign up for real-time alerts on transactions that most banks and financial institutions offer. You can set transaction limits, get alerts for international payments, balance transfer requests, etc.
* Don’t use public Wi-Fi to make online transactions
* Don’t engage in these transactions in public places
* Shred all card-related documents before discarding them
* Strengthen passwords and PINs on all cards and related accounts. Always avoid default and obvious passwords.

1. [CO5] To prevent yourself from being the victim of cyberstalking, what habits you should follows?

* [Keep your professional account different from your personal account](https://blog.ipleaders.in/how-to-prevent-cyberstalking/#Keep_your_professional_account_different_from_your_personal_account)
* [Do not share address, phone number or email id on social media](https://blog.ipleaders.in/how-to-prevent-cyberstalking/#Do_not_share_address_phone_number_or_email_id_on_social_media)
* [Do not post your live location](https://blog.ipleaders.in/how-to-prevent-cyberstalking/#Do_not_post_your_live_location)
* [Keep the GPS (Global Positioning System) location off of your mobile or other electronic appliances](https://blog.ipleaders.in/how-to-prevent-cyberstalking/#Keep_the_GPS_Global_Positioning_System_location_off_of_your_mobile_or_other_electronic_appliances)
* [Keep your IP addresses safe with VPN (Virtual Private Network)](https://blog.ipleaders.in/how-to-prevent-cyberstalking/#Keep_your_IP_addresses_safe_with_VPN_Virtual_Private_Network)
* [Do not answer unknown people’s messages](https://blog.ipleaders.in/how-to-prevent-cyberstalking/#Do_not_answer_unknown_peoples_messages)
* [Check the privacy settings before sharing or posting](https://blog.ipleaders.in/how-to-prevent-cyberstalking/#Check_the_privacy_settings_before_sharing_or_posting)
* [Know the legal remedies](https://blog.ipleaders.in/how-to-prevent-cyberstalking/#Know_the_legal_remedies)
* [Keep your passwords and software updated](https://blog.ipleaders.in/how-to-prevent-cyberstalking/#Keep_your_passwords_and_software_updated)
* [Restrain from keeping your private pictures in cloud services](https://blog.ipleaders.in/how-to-prevent-cyberstalking/#Restrain_from_keeping_your_private_pictures_in_cloud_services)

1. [CO5] What is the need of copyright act. How is it useful for consumers?

The Copyright Act, 1957 **protects original literary, dramatic, musical and artistic works and cinematograph films and sound recordings from unauthorized uses**. Unlike the case with patents, copyright protects the expressions and not the ideas. There is no copyright in an idea.

The Copyright Act provides an economic right to the author to reproduce the work, to issue copies, to perform or communicate it to the public, to make any cinematograph film or sound recording or to make any adaptation or translation of the work.

**PART – D (2\*10 = 20 Marks)**

1. [CO5] Explain economic rights of the author, and moral rights of the author in perspective of copyright protection.

**Economic Rights:** The copyright subsists in original literary, dramatic, musical and artistic works; cinematographs films and sound recordings. The authors of copyright in the aforesaid works enjoy economic rights **u/s 14 of the Act**.[[iv]](https://www.lawctopus.com/academike/moral-rights-author/" \l "_edn4)

The rights are mainly, in respect of literary, dramatic and musical, other than computer program, to reproduce the work in any material form including the storing of it in any medium by electronic means, to issue copies of the work to the public, to perform the work in public or communicating it to the public, to make any cinematograph film or sound recording in respect of the work, and to make any translation or adaptation of the work.

**Moral Rights:** **Section 57** of the Act defines the two basic “moral rights” of an author. These are:

(i) The right of paternity

(ii) Right of integrity.

The right of paternity refers to the right of an author to claim authorship of work and a right to prevent all others from claiming authorship of his work. The right of integrity empowers the author to prevent distortion, mutilation or other alterations of his work, or any other action in relation to said work, which would be prejudicial to his honor or reputation.

1. [CO5] Explain types of trademark infringements.

### Direct Infringement

Section 29 of the Trademark Act, 1999 lays down the law related to direct infringement of the trademark. As per the law, direct infringement has been defined as in the following cases:

1. **Similar or Deceptive:**If the trademark is identical to that registered trademark or somehow creates confusion in people's minds with the registered one, it also falls under direct infringement.
2. **Used without Owner's Permission:**If the use of a registered trademark has been done without the owner's authorization.
3. **Use of a similar trademark in the same class:**For the infringement of the trademark, the unauthorized use of the mark has to be used for the propagation of goods or services that fall under the same class of the registered trademark.

### Indirect Infringement

1. **Vicarious Infringement:**When a person can control the actions of a direct infringer to infringe, then it is said to be vicarious infringement.
2. **Contributory Infringement:**Cases when the person either knows of the infringement, contributes to direct infringement, or influences the principal infringer for direct infringement come under contributory infringement.