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PRESIDENCY UNIVERSITY

BENGALURU

Mid - Term Examinations – October 2025

Date 10-10-2025

Time: 09.30am to 11.00am

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| School: SOL | Program: BALLB, BCOMLLB, BBALLB | |
| Course Code: LAW2054 | Course Name: Intellectual Property Rights Law | |
| Semester: V | Max Marks: 50 | Weightage: 25% |

| CO - Levels | C01 | C02 | C03 | C04 | C05 |
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| Marks | 20 | 30 | | | |

Instructions:

- (i) *Read all questions carefully and answer accordingly.*
- (ii) *Do not write anything on the question paper other than roll number.*

Part A

Answer ALL the Questions. Each question carries 2marks.

5Q x 2M=10M

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| 1 | Briefly explain how the concept of self-expression underpins the personality theory of intellectual property. | 2 Marks | L2 | C01 |
| 2 | What is the right of rental? Is it available to copyright holders of all categories of work in India? | 2 Marks | L2 | C01 |
| 3 | What is the difference between licensing and assignment as per the Indian Copyright Act, 1957. Briefly explain with the help of relevant sections. | 2 Marks | L2 | C01 |
| 4 | What is the key difference between economic rights and moral rights provided to the author under Copyright Act, 1957? | 2 Marks | L2 | C01 |
| 5 | What are the key characteristics of intellectual property rights. Explain. | 2 Marks | L2 | C01 |

Part B

Answer the Questions.

Total Marks 40M

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| 6. | <p>A publishing house, "EduMasters Pvt Ltd," compiles past year question papers of the All India Bar Examination and sells them in book form with explanatory notes. The Bar Council of India alleges infringement of copyright in the examination papers. EduMasters argues that question papers lack sufficient originality as they are only questions testing knowledge, not expressions of creativity.</p> <p>a. Analyze this claim in light of the test of Originality.</p> <p>b. Would the compilation amount to infringement? Support your arguments with relevant case laws.</p> | 4 + 6 = 10 Marks | L3 | CO 1 |
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| 7. | <p>A start-up legal tech platform downloads judgments directly from the Supreme Court's website and republishes them after making cosmetic formatting changes (line spacing, paragraphing, uniform font). Another publisher claims infringement, arguing that even formatting involves skill and effort deserving protection.</p> <p>Discuss whether such typesetting and formatting changes meet the originality standard under Copyright Act, 1957. Substantiate with relevant case laws.</p> | 10 Marks | L3 | CO 1 |
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| 8. | <p>A law professor employed at <i>National Law University</i> writes a textbook on copyright law as part of her teaching duties. She later claims ownership of copyright in the textbook and enters into a publishing contract with a private publisher. The University argues that since she wrote it in the course of employment, the copyright belongs to the University.</p> <p>With reference to Section 17 of the Copyright Act, 1957, discuss who is the first owner of copyright in this case. Support your answer with relevant case laws.</p> | 4 + 6 = 10 Marks | L3 | CO 2 |
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| 9. | <p>A writer drafts a rough storyline for a film and then hands it to a second writer, who develops the dialogues and scenes in detail. The film is later released crediting only the second writer as the author. The first writer claims joint authorship over the script.</p> <p>Examine whether the first writer qualifies as a joint author under the Copyright Act, 1957?</p> <p>Explain how courts determine whether a contribution amounts to joint authorship or not.</p> | 5 + 5 = 10 Marks | L3 | CO 2 |
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| 10. | A songwriter assigns the copyright in his songs to a music company, <i>Melody Ltd.</i> , for “all future works” without specifying duration or territorial scope in the written agreement. After three years, he wants to license his songs to another streaming platform. The music company objects, claiming worldwide and perpetual rights. | 5 + 5= 10 Marks | L3 | CO 2 |
| a. | Examine, with the help of Sections 18 and 19, whether the songwriter is free to license his works after three years. | | | |

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| 11. | A film director produces a movie based on an original novel, having acquired rights from the author. Later, a streaming platform uploads the movie without the director's permission. Meanwhile, another filmmaker makes a stage play based on the same novel without authorization. | 3 + 7= 10 Marks | L3 | CO 2 |
| a. | Discuss, with the help of Section 14, who owns the copyright in the cinematograph film. | | | |

b. Whether infringement has occurred in both the streaming and stage play cases. Substantiate with relevant case laws.

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| 12. | A sports channel, “SportPlus TV,” obtains exclusive rights to broadcast live cricket matches in India. A local cable operator records the live telecast from SportPlus TV and rebroadcasts it to his subscribers without authorization, arguing that since he has already paid for the channel subscription, he is free to share it with his network. SportPlus TV sues for infringement. | 4 + 6= 10 Marks | L4 | CO 2 |
| | Discuss whether the cable operator's act violates the broadcaster's rights under the Copyright Act, 1957. Support your answer with relevant case laws. | | | |

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| 13. | Dr. Kavita Sharma, a renowned folklorist and choreographer, served as the Artistic Director at the Folk Dance Centre, Bangalore, a prestigious institution dedicated to preserving regional performing arts. Over two decades, she developed a revived dance-theatre form called “LokRang”— a creative extension of the traditional “Dhvani | 10 Marks | L4 | CO 2 |
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| | <p>Nritya" involving innovative choreography, original storyline adaptations, reimagined musical arrangements, and novel costumes. She also authored and composed five original "Lok Prasang" scripts, which serve as the narrative foundation for LokRang performances.</p> <p>On February 1, 2015, Dr. Sharma executed a will granting all copyrights in her literary works, scripts, and creative performances, both specified and residual, to her protégé, Ms. Rhea Kumar. Dr. Sharma passed away in 2018.</p> <p>In March 2023, the Folk Dance Centre staged a free memorial performance of one of the LokRang pieces—“Veerangana’s Oath”—in memory of Dr. Sharma, without obtaining any permission from Ms. Kumar.</p> <p>Subsequently, Ms. Kumar filed a suit seeking:</p> <ol style="list-style-type: none"> 1. A declaration that she holds exclusive copyright in the LokRang performance and the five Lok Prasang scripts. 2. A permanent injunction restraining the Folk Dance Centre from staging or performing them without her consent. 3. Monetary damages of ₹20,000 for infringement. <p>The Centre contends:</p> <ul style="list-style-type: none"> • (a) LokRang is merely a derivative or revival of Dhvani Nritya and thus not original or protectable. • (b) Even if copyright subsists, their free performance as a memorial tribute to Dr. Sharma falls under the exceptions in Section 52(1)(a), (i), and (l) of the Copyright Act, 1957, protecting fair dealing, educational use, and non-paying amateur performances. <p>a.</p> <p>b. Analyze whether LokRang (including the five Lok Prasang scripts) qualifies as an original dramatic work that is protectable under the Copyright Act, 1957, and whether Ms. Kumar acquired valid copyright under the will.</p> <p>Evaluate if the Folk Dance Centre’s free memorial performance could lawfully invoke the statutory exceptions under Copyright Act to avoid infringement—even assuming the existence of copyright and Ms. Kumar’s ownership.</p> | |
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