

**G 4240**

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Reg. No.....

Name.....

**FIVE YEAR B.A., LL.B. (HONOURS)/B.Com., LL.B. (HONOURS)/B.B.A., LL.B.  
(HONS.) DEGREE EXAMINATION, AUGUST 2023**

**Ninth Semester**

**F.L.32—INFORMATION TECHNOLOGY LAW**

(2018 Admissions—Regular)

Time : Three Hours

Maximum : 75 Marks

**Part A**

*Write short notes on any five of the following.*

*Each question carries 3 marks.*

1. Software Escrow Agreement.
2. Legal regulation of 'Social Media'.
3. Difference between 'Cyber Stalking' and 'Cyber Defamation'.
4. Digital signature certificate.
5. Reverse domain name hijacking.
6. ICANN Trademark Clearing House Mechanism.

(5 × 3 = 15 marks)

**Part B**

*Answer any three of the following problems.*

*Each question carries 10 marks.*

7. Section 29 of the Information Technology Act, 2000 confers power upon the Controller of Certifying Authorities to investigate contraventions under the Act. Section 78 confers power upon a police officer of the rank of an Inspector or above to investigate any offence under the Act. Ms. 'A' suspects Mr. 'B' of creating and publishing digital signature certificates for fraudulent purposes. But she is not sure about whom to approach for investigating the suspected crime. Advise Ms. 'A'.

Turn over

8. Mr. 'A' received an E-mail containing defamatory content regarding Mr. 'B' and told the same to Mr. 'B'. Mr. 'B' filed a complaint with the police alleging the content to be defamatory and offensive. Police refused to register the case on the ground that the offence falls u/s 66A of the Information Technology Act which has been declared unconstitutional by the Supreme Court in the judgment *Shreya Singhal v. Union of India*. Discuss the provision of Section 66A and the grounds on which it has been declared unconstitutional by the Supreme Court. What are the alternative remedies available to a victim of such misconduct? Whether any other offence apart from Section 66A is made out under the provisions of the Information Technology Act?
9. Mr. 'X' uses Ms. Y's identity to chat over the Internet. While chatting, Mr. 'X' gives Ms. Y's name, address and phone numbers and also uses obscene language. Ms. 'Y' received several unwanted telephone calls from many parts of the globe. Did Mr. 'X' commit any offence? Decide whether Ms. 'Y' has any remedy.
10. Mr. Godwin Perera is a well-known Senior Advocate. It comes to his attention that *Alpha.com* has registered the domain name *www.godwinperera.com* for legal process outsourcing. What are the legal remedies available to Mr. Godwin Perera under trade mark law, copyright law and domain name law. Discuss.

(3 × 10 = 30 marks)

### Part C

Answer any **two** of the following questions.

Each question carries 15 marks.

11. "Information technology has changed the way people enter into contracts today, but the law of contracts hasn't changed much." Discuss in view of the general principles of law of contract in India as they apply to online contracts. Discuss also, the essential elements, characteristic features, issues and challenges of online contracts along with the relevant provisions of the Information Technology Act, 2000. What are Shrink Wrap, Click Wrap, and Browse-Wrap Agreements? Explain.
12. Explain the concept of 'Cyberspace Jurisdiction' with the help of case law. What are the major jurisdictional issues in Cyberspace? Do you believe that 'conflict of laws' exists in Cyberspace? Substantiate.
13. Explain copyright protection in digital environment. Examine to what extent the principles of WPPT have been incorporated under the Indian Copyright Act.

(2 × 15 = 30 marks)