


Name:			
Enrolment No:			
UPES End-Semester Examination, May 2024			
Course: Internet Regulation and Jurisdiction Program: B.Tech. (CSE), LL.B. (Cyber Law) Course Code: CLCB5014		Semester: X Time: 03 hrs. Max. Marks: 100	
Instructions: Attempt all questions.			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	Define the “protective principle” in the context of cyber jurisprudence.	2	CO1
Q 2	Enumerate the factors on the basis of which the adjudicatory jurisdiction of courts is determined.	2	CO1
Q 3	List the forces that regulate the internet.	2	CO1
Q 4	State two reasons why the traditional notion of jurisdiction cannot be applied in the case of an internet dispute.	2	CO1
Q 5	Name the proposed legislation that seeks to replace the Information Technology Act, 2000.	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q 6	Discuss the importance of identifying the first originator of information by significant social media intermediaries.	5	CO2
Q 7	Distinguish between “governance of the internet” and “governance on the internet.”	5	CO2
Q 8	Express whether blocking of VPN contravenes the concept of open and free internet.	5	CO2
Q 9	Explain the safe harbor principle contained in Section 79(1) of the Information Technology Act, 2000.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	Analyse the interrelationship among digital sovereignty, data sovereignty, and sovereign cloud.	10	CO3
Q 11	Illustrate the limitations of mutual legal assistance treaties (MLATs) in enabling government-to-government legal cooperation in cross-border internet disputes.	10	CO3
SECTION-D (2Qx25M=50 Marks)			

Q 12	<p>Cygnus Smartwatch Private Limited (“CSPL”) is a company involved in the business of manufacturing smartwatches. The company is incorporated in New Jersey and has its headquarters in the same state. The company opened a showroom in Washington and was conducting business there having a substantial amount of presence in the electronics sector within the territory of the state.</p> <p>Joseph, a user of Cygnus smartwatch, approached the US District Court for the Western District of Washington claiming that his personal data was stolen from his smartphone via his Cygnus smartwatch. CSPL argued against the maintainability of the case by citing lack of jurisdiction with the Washington court.</p> <p>In light of the above facts, answer the following questions:</p> <p>(a) Apply the appropriate theory of jurisdiction to resolve this matter. Cite relevant case(s) to support your answer.</p> <p>(b) What are the different theories that can be used to determine jurisdiction in case of an internet-related dispute?</p>	10+15=25	CO4
Q 13	<p>Manish, a citizen of India, is an ethical hacker. One day, upon receipt of an anonymous tip, he launched a cyber attack on a website hosted by the Russian Government. After his IP address was traced, the Russian Government contacted the Indian Government and asked for Manish to be handed over to Russia, so that he could be tried as per Russian laws. India declined Russia’s request ensuring the latter that Manish would be tried as per Indian laws and due punishment shall be imposed upon him if he is found guilty.</p> <p>Considering the above context, answer the following:</p> <p>(a) Demonstrate the territorial factors that help in the determination of the applicable law.</p> <p>(b) Discover the challenges for the stakeholders, viz. governments, global internet platforms, technical operators, civil society groups and international organisations.</p> <p>(c) Recommend potential solutions to address the aforementioned challenges.</p>	6+12+7=25	CO4