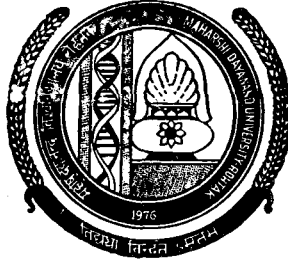


Maharshi Dayanand University Rohtak



Ordinances, Syllabus and Courses of Reading for Diploma in Cyber Law Examination

Session—2002-2003

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DIPLOMA IN CYBER LAW

Scheme of Examination (2002-2003)

	Name of Paper	Paper No.	Marks	Time
1.	Law & the Cyber World	I	100	3 Hrs.
2.	Intellectual Property in Cyber World	II	100	3 Hrs
3.	Electronic Commerce	III	100	3 Hrs.
4.	Computer Contracts, Crimes & Torts	IV	100	3 Hrs.
5.	Information Technology Act 2000	V	100	3 Hrs.

Note : There shall be eight questions in each paper & candidate will have to attempt only 5 questions. All questions carry equal marks. Question paper will be set in order to cover the whole syllabus equitably.

DIPLOMA IN CYBER LAWS

Paper- I Law and Cyberworld

Time : 3 Hrs.

Max. Marks : 100

- General introduction to computers
Computer, Binary digit, Data base, Computer network, Computer program, Computer security system, Computer virus, Software and hardware, Shrink wrap licence, Internet, World Wide Web, Portal and portal space, Domain names, Network service provider, Bandwidth, Browser, Information system, HTTP (Hypertext Transfer Protocol), FTP (File transfer protocol), HTML (Hypertext mark up language), Hyperlink, Surf, Host, ISP (Internet Service Provider), OSP (online service provider), Internet telephony, Protocol, TCP/IP (Transmission Control Protocol/ Internet Protocol), Network Node, Router, Intranet,

wireless, wavelength, Signal modulation, Interface Window, GUI (graphical user interface), Operating System (OS), Asymmetric cryptosystems, Digital signature, Private key, Public key, Verifying digital, signatures, Electronic, Electronic record, Electronic signature, Digital cash, Electronic data Interchange (EDI), Hash function, Frequency gateway, VSAT (Very Small Aperture Terminal), Hub, Satellite, GPS (Global Positioning System), Transponder, Modem (modulator/demodulator), ISDN (Integrated Services Digital Network), Virtual area network (VAN), Multimedia, Chat.

- Role of law
- Private International law in the cyberworld
 - Jurisdiction
 - Applicable law
- Issues of enforcement
- Free speech and expression on the Internet
- The authority and scope of governments to regulate the internet (Internet censorship)
- Impact of telecommunications and broadcasting laws on Internet regulation
- Privacy issues and access rights
- Issues of national security
- Related issues under International law
- Concept of property in cyberspace

Paper - II Intellectual Property in the Cyberworld

Time : 3 Hrs.

Max. Marks : 100

- Mature of Intellectual property rights
- Copyright
 - Berne Convention, Rome Convention, WCT, WPPT, TRIPS
 - Copyright Act, 1957

- Scope of protection of computer programmes and data
- Patent protection
 - Paris Convention, TRIPS
 - Indian Patent Act
 - Application of Patents to computer technology
 - Patents for computer software
 - Patents for electronic commerce
- Trade Marks and Passing Off
 - Passing Convention, Madrid Agreement, TRIPS
 - Trademarks and Merchandise Act, 1999
 - Domain names and cyberquatting
 - Linking framing and metatagging
- Trade secrets and confidential information
- Design rights and semi-conductor chip protection
 - Washington treaty on integrated circuits and layout designs, 1989
 - WIPO convention
 - The Semiconductor, Integrated Circuit Layout Design Act, 2000
 - Legal protection of integrated circuits
 - Reverse engineering and innocent infringement

Paper III Electronic Commerce

Time : 3 Hrs.

Max. Marks : 100

- Introduction to electronic commerce
- On-line contracts
 - Contracts and contract types
 - Making contracts online
 - Distant Selling
 - Payment mechanism
 - Electronic funds transfer

- Digital signatures
- Setting up business
 - Domain names
 - Establishing and maintaining brand identity
 - Managing the site
 - Disclaimers
 - Regulated activities and competition law
 - Licensing and regulatory requirements
- Consumer protection
- Evidence and security
 - Types of evidence
 - Admissibility of electronic records
 - Reliability of electronic records
- Keeping and proving electronic records
 - Record-keeping issues
 - Data protection
 - Principles of data protection
 - Jurisdictional issues regarding data protection
 - Retention of electronic records
 - Maintaining admissibility and evidential value
 - Proving agreements formed electronically
 - Transnational Data Flow and International Controls
- Advertising on the Internet
 - Advertising regarding goods and services
 - Telemarketing on the Internet
 - Linking and framing
 - Web-Site liability for creator
- Taxation Issues
 - Introduction to taxation
 - Direct taxation

- Indirect Taxation, custom, excise, transfer pricing
- Taxation issues when business goes international
- Virtual banking
- Work in UNCITRAL, WTO, WIPO regarding electronic commerce.

Paper IV Computer Contracts, Crimes and Torts

- Computer contracts
 - Fundamentals of contract
 - Contracts for writing software
 - Licence agreements
 - Contract between software author and publisher
 - Hardware contracts
- The nature and scale of computer crimes
- Types of computer fraud
- Theft of information
- Hacking/Cracking
- Web catching
- Unauthorised modification of computer programmes and data
- Infringement of Intellectual property rights - criminal liability
- The issue of jurisdiction in computer crimes
- Pornography on the Internet
- Use and abuse of e-mail
- Ethics and etiquette in cyberspace
- Dispute settlement mechanism in cyberspace
- Potential liability of intermediaries, service providers and network users.

Paper - V Information Technology Act, 2000

- Historical background of the Act
- Object of the Act
- Extent, scope and commencement of the Act

- Electronic governance
 - Legal recognition of electronic records
 - Legal recognition of digital signatures
 - Use of electronic records and digital signatures in government and its agencies
- Electronic records
 - Legal recognition of electronic records
 - Secure electronic record and procedure thereto
 - Authentication of electronic records
 - Attribution of electronic record
 - Acknowledgment of receipt of electronic record
 - Determining time and place of despatch of electronic record
- Digital signatures
 - Legal recognition of digital signatures
 - Central government's power to make rules in respect of digital signatures
 - Secure digital signatures
 - Issuance of digital signatures by certifying authorities
 - Acceptance, suspension and revocation of digital signature certificate
- Authorities under the Act
 - Controller
 - Appointment of controller
 - Functions of controller
 - Powers of controller
 - Certifying authority
 - Norms to be followed by certifying authorities
 - Licence to issue digital signature certificate
 - Application, grant, rejection, renewal, suspension and surrender of licence

- Cyber appellate tribunal
 - Composition of cyber appellate tribunal
 - Qualification, tenure, salary, resignation, removal, etc. of office bearers
 - Powers of cyber appellate tribunal
 - Appeals to and from cyber appellate tribunal
- Advisory committee
- Powers of central and state governments to make rules
- Offences and penalties under the Act
 - Tampering with computer system
 - Hacking with computer system
 - Publication of obscene material
 - Misrepresentation
 - Breach of confidentiality and privacy
 - Publishing false digital signature certificate
 - Offences committed outside India
 - Offences by companies
 - Damages to computer, computer system, etc.
 - Powers of adjudication and investigation
- Liability of network service providers
- Amendments to various enactments
 - The Indian Penal Code, 1860
 - The Indian Evidence Act, 1872
 - The Banker's Books Evidence Act, 1891
 - The Reserve Bank of India Act, 1934
- Grey areas of the IT Act

Books

1. Douglas Thomas and Brain D. Loader, *Cybercrime law Enforcement, Security and Surbeillance in the Information age (2000)*, 11, New Fellder Lane, London EC4P 4EE.
2. Makeen Fouad Makeen, *Copyright in a Global Information Society (2000)*, Kluwer Law International, The Netherlands.
3. Ian J. LLOYD, *Information Technology Law (2000)*, Butterworths.
4. Christopher Reed, *Internet Law : Text and Materials (2000)*. Hobbs The Printers Ltd, Totton Hampshire.
5. Asit Narayan & L.K. Thakur, *Internet Marketing E-Commerce and Cyber Laws (2000)*. Authorspress E-35/103, Jawahar Park (Shree Ganesh Complex) Laxmi Nagar, Delhi - 110092.
6. Nadan Kamath, *Law Relating to Computers Internet and E-Commerce (2000)* Universal Law Publishing Co. Pvt. Ltd.
7. D.P. Mittal, *Law of Information Technology (2000)*, Taxmann Allied Services Pvt. Ltd.
8. Rahul Matthan, *The Law Relating to Computers and The Internet (2000)*, Butterworths.
9. Nitant P. Trilokekar, *Information Technology Act (2000)*, Snow White.
10. WIPO Primer on E-commerce.