

Diploma in Cyber Law

Government Law College, Mumbai

Asian School of Cyber Laws, Pune

Please fill in the following in block letters

Name in full: _____

Roll number: _____ **Date:** _____

Exam Center (please circle the city where you are appearing for the exam):

Pune / Mumbai / Delhi

Duration: 3 hrs

Max Marks: 100

Instructions:

1. This is an 'open book' examination. You are allowed to refer to notes or texts **brought by you** into the examination hall. You will not be permitted to “borrow” notes from any other student.
2. Cheating or misconduct in exams (such as copying off another student's paper) is not allowed. Any student who indulges in such cheating or misconduct will be asked to leave the examination hall immediately. The said student will be awarded “zero” marks for the examination.
3. Use of mobile phones, pagers or any form of Internet based communication during the examination is strictly prohibited.

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Q1. Kabir has been able to convince Akhil, a bank clerk to pass him information about the bank account details of Blue Corporation. From these details, Kabir has come to know that Blue Corporation is receiving payments from AirTrade Corporation in France for various export consignments through wire transfer. Kabir now spoofs an email that looks like it is from Blue Corporation's official email ID. In that email, Kabir informs AirTrade that Blue's bank account details have changed and they are to send the next payment to its account with ABCD Bank in Bangkok. AirTrade officials believing the email to be true send the money to Bangkok where Kabir, who had opened that account, withdraws all the money. Under which sections, if any, would Kabir and Akhil be liable? (4 marks)

Q2. BlueTech is a cyber security firm that develops antivirus software. On 25th December, a malware called Fiery infected the computer systems of BlueTech. The worm deleted certain files in the anti-virus software updates being developed by BlueTech. On fears of reputation and business loss, BlueTech revealed nothing about the attack even after being queried by the Indian Computer Emergency Response Team. Under which sections, if any, would BlueTech be liable? (4 marks)

Q3. Pooja and Ramesh are going through a messy divorce. Pooja has filed a case against Ramesh alleging that Ramesh had installed key-logger software in Ramesh's laptop kept in the living room that was being used by both of them before their marriage turned sour. Pooja had retained the laptop with her during the divorce proceedings. Pooja has further alleged that the key-logger software turned the web camera in the laptop on without her knowledge and had recorded private and intimate videos of her after they had separated and during the pendency of the divorce proceedings without her knowledge. Pooja has also alleged that Ramesh has been able to obtain her call records through a friend of his working with Pooja's telecom service provider and is using the same to prove that she had an alleged affair with another man before their separation. She has alleged that this constitutes a breach of her privacy, which is protected under law. Presuming Pooja's allegations to be true, under which sections, if any, would Ramesh be liable? (4 marks)

Q4. Pooja is planning to undertake a massive social media campaign against taxes. She is asking people to stop paying tax. The Government has declared publicly that the tax laws are structured fairly based upon income slabs and no person should spread such lies and incite people against the Government. Under which sections, if any, would Pooja be liable? (4 marks)

Q5. Shailesh has made an exact copy of the Noodle Bank's website. He then sends a fake email from *customercare@noodlebank.com* to the email addresses of 15 people who have accounts with Noodle Bank. His friend Sagar, an executive with Noodle Bank has given him this information. Through the fake email, Shailesh captures usernames and passwords of unsuspecting users. These details are then retrieved and used by Shailesh to login to the Internet Banking account of the victims. Sagar has opened 10 different bank accounts in different branches of Noodle Bank in the country. Shailesh transfers money from the Internet Banking account of the victims to these accounts, which are later withdrawn by him and shared with Sagar. Under which sections, if any, would Shailesh and Sagar be liable? (4 marks)

Q6. International Mobile Station Equipment Identity or IMEI is a number to identify mobile phones. The IMEI number can be used for stopping a stolen phone from accessing the phone network. Akash has developed a computer program that allows him to change the IMEI number of a mobile phone. Bhushan gives him stolen mobile phones and Akash changes the IMEI number of the phone by using his program. The phones are then sold and the profits shared by Akash and Bhushan. Under which sections, if any, would Akash and Bhushan be liable? (4 marks)

Q7. A Government computer contains critical information in its hard disk. Rajat inserts a pen drive into one of the USB ports of the computer to steal some files but just before he could switch on the computer, he is detected and caught. Under which sections, if any, would Rajat be liable? (4 marks)

Q8. Consider the following statements:

Statement 1: A digital signature is unique for each message and automatically authenticates the message.

Statement 2: A password is an electronic authentication method based on the knowledge of the user.

Statement 3: Data which requires some special function to be performed on it before it can be read and understood, is called plaintext.

Statement 4: Non-repudiation addresses the unauthorized alteration of data.

Which of the following are true in respect of the above statements:

- Statements 1 and 2
- Statements 3 and 4
- Statements 1, 2 and 4
- Statements 1, 3 and 4

(4 marks)

Q9. Consider the following situations:

Situation 1: Simran logs in to her web-based email account, composes an email and presses the “Send” button.

Situation 2: Simran instructs her assistant to send an email on her behalf.

Situation 3: Before going on a vacation, Simran configures her email account to automatically reply to all incoming email messages with a standard message.

Under which of the above situations would the email be attributed to Simran:

- Situation 1
- Situation 2 and 3
- Situation 1 and 3
- Situations 1, 2 and 3

(4 marks)

Q10. Which one of the following statements is false?

- Vikram has an interesting idea for a movie. During a casual conversation with Pooja, he shares the idea with her. Pooja makes a movie based on the idea. Pooja has copyright on the movie and Vikram cannot claim copyright for his idea.
- Tina has authored a book. With prior permission from Tina, Mina produces a play based on the book. Mina will have an independent copyright in her play even though it is an adaptation of Tina's book.
- Tina has authored a book. Rahul, with Tina's prior consent, selects scripts & passages from her book, puts in few of his own words and publishes an abridged version of the book. Rahul will have an independent copyright in the abridged book.
- Tina has composed and sung an excellent song. With her prior permission Rahul composes a "remix" version of the song by adding more percussion and beats. Rahul will not have a copyright in the remixed song.
- Ketaki and Rajan together create a computer program in 2012. Ketaki dies on 15th April, 2013 while Rajan dies on 29th June, 2016. The copyright in the computer program will subsist till 60 years from 1st January 2017. *(4 marks)*

Q11. Websites on the Internet install small text files called "cookies" on a visitor's computer for greater functionality. Ramesh want to file a case against such a website because he feels the cookie is tracking his movements across the Internet as a result of which he is receiving a lot of unsolicited advertisements. Ramesh is of the opinion that this is violation of his privacy and wants to initiate legal proceedings. Advise Ramesh about his legal options. *(4 marks)*

Q12. Rahul is planning to gain unauthorized access into the computers in the Air Traffic Control of the Delhi Airport. The Airport's computer systems have been declared as Critical Information Infrastructure by the Central Government. Tina, who works in the Airport's IT department, gets the necessary passwords and gives them to Rahul. Under which sections, if any, would Rahul and Tina be liable? *(4 marks)*

Q19. The Internet is increasingly being used by criminal organizations. One of the most infamous examples is Silk Road - an online black market best known for selling illegal drugs. Since it operated as a “Tor hidden service”, online users were able to browse it anonymously. Silk Road is believed to have generated revenues of over a billion dollars by facilitating transactions in drugs, stolen credit card details and even murder-for-hire! Silk Road founder Ross William Ulbricht was prosecuted and sentenced to life in prison without possibility of parole.

Based on the above, prepare a legal opinion, with reasoning, on which provisions of the Information Technology Act would apply if Ross William Ulbricht were to be prosecuted in India.

(5 marks)

Q20. Sameer has been arrested several times in the past for committing theft and robberies. One day, he approaches Tarun with 25 cell phones and offers to sell them for half their market value. Tarun buys the cell phones from Sameer and then sells them in his shop for the full market value. Based on the above, prepare a legal opinion, with reasoning, on which provisions of the Information Technology Act would apply if Sameer and Tarun were to be prosecuted. Would it make a difference if Tarun did not know about Sameer’s past arrests?

(7 marks)
