



VISHWAKARMA
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FACULTY OF LAW

PRESENTS

1st VISHWAKARMA UNIVERSITY

NATIONAL

MOOT COURT

COMPETITION

13th APRIL 2024

Last Date for Registration

15th March 2024

Last Date for Soft Copy Submission

21st March 2024

**Preliminary Rounds,
Quarter Finals, & Semi Finals**

30th March 2024

Registration

<https://forms.gle/Jh4xQizzvL23t8W1A>





ABOUT VISHWAKARMA UNIVERSITY

Vishwakarma University, Pune (VU) is a natural offshoot of the Vishwakarma Group of Institutions' educational legacy spanning over 35 years. The University was established as a state-private university through the Maharashtra Government Act in 2017 and received approval from the University Grants Commission. Vishwakarma University is a Member of the Association of Indian Universities (AIU, New Delhi). As per Times Higher Education Global Impact Rankings 2021, Vishwakarma University, Pune, is featured in the top institutions amongst 1200 universities from 98 countries/regions. These rankings assess universities

against the United Nations' Sustainable Development Goals (SDGs). VU was Awarded as an Emerging University by the Associated Chambers of Commerce & Industry of India (ASSOCHAM - Estd. 1920). The University focuses on academic excellence, positively impacting the student community and society. The learning model at Vishwakarma University combines knowing, practising, performing, and reflecting. The "learning by doing" approach practised through industry participation provides students with practical and pragmatic learning opportunities.

FACULTY OF LAW

With the vision of carving out skilled legal professionals and promoting impactful research to serve humanity, the Faculty of Law was established in 2018. The Faculty of Law commenced with One-year LL.M. and PhD programmes and subsequently with Five-year and Three-year UG programmes in 2019. The Bar Council of India approves the programmes. The enthusiastic and knowledgeable professors at the Faculty of Law strive to keep up with Vishwakarma University's motto, 'Learning by Doing'. The values of Academic Excellence and Academic Rigour are nurtured using diverse teaching pedagogies supplemented with ICT-enabled classrooms. The state-

of-the-art infrastructure, moot courtroom, voluminous library, and online legal research databases enrich the learning experience. The Debating Society, Moot Court Society, VU Legal Aid Clinic, and Research Cell are a few of the various student-led initiatives the faculty members support. Through its various Centres and Committees, the Faculty of Law also addresses socio-legal issues with innovative legal solutions, engaging in transdisciplinary research work, creating legal awareness, promoting legal literacy, providing legal assistance & legal consultancy, reaching out to and helping the marginalised community.

ABOUT THE MOOT COURT COMPETITION

The 1st Vishwakarma University National Moot Court Competition aims to develop participants' legal skills through simulated appellate court proceedings, including research, writing, and oral advocacy. The competition will help students understand legal processes, apply legal knowledge to hypothetical scenarios, and promote ethical lawyering while honing critical thinking and problem-solving abilities.

LIST OF IMPORTANT DATES

| | | |
|----|---|------------|
| 1. | Release of Moot Problem | 29/02/2024 |
| 2. | Last Date of Registration | 15/03/2024 |
| 3. | Last Date for Seeking Clarifications | 14/03/2024 |
| 4. | Release of Clarifications | 17/03/2024 |
| 5. | Last Date of Submission of Soft Copy of Written Submissions | 21/03/2024 |
| 6. | Draw of Lots and Exchange of Written Submissions | 29/03/2024 |
| 7. | Preliminary Rounds, Quarter Finals and Semi Final Rounds | 30/03/2024 |
| 8. | Final Rounds | 13/04/2024 |
| 9. | Valedictory and Prize Distribution | 13/04/2024 |

MODE OF COMPETITION

1. The Competition will be held in a Hybrid Mode (Online and Offline). The Preliminary, Quarter Final, and Semi-Final rounds will be held Online.
2. The Final Round will be held Offline at the Vishwakarma University, Pune campus.

TEAM ELIGIBILITY AND COMPOSITION

- 1) Participation is strictly restricted to bona fide law students pursuing the three-year or five-year LL.B. degree course in any institution in India. Students pursuing their LL.M. and Diploma courses are not eligible for participation.
- 2) Only one team shall be allowed to represent each participating institution.
- 3) Each participating team should have a minimum of two members and a maximum of three participating members. In a team, two members shall be designated as 'Speakers', and the third member (if any) shall be designated as 'Researcher'.

DRESS CODE

- 1) The Participants are expected to be appropriately attired for the rounds of the Competition.
- 2) The Dress Code for the Inauguration, Oral Rounds and Valedictory & Prize Distribution shall strictly be:
- 3) For Gentlemen - Western Formals (White formal shirt with black formal pants and a black blazer)
- 4) For Ladies - Western Formals (White formal shirt with black formal pants/black formal skirt and a black blazer) or Indian Formals.
- 5) Participants must adhere to the stipulated dress code to avoid being disqualified from the competition.

ROUNDS OF THE COMPETITION

The competition will have the following rounds:

- a) Preliminary Rounds
- b) Quarter Final Rounds
- c) Semi Final Rounds
- d) Final Round

LANGUAGE

The language of the competition will be English.

MEMORIAL

The following requirements for Memorial must be strictly followed by the participants:

a) All memorials submitted for all purposes of the Competition shall strictly adhere to the Competition rules. Each team participating in the Competition must prepare one Memorial on behalf of the Petitioner(s)/ Appellant(s) and one on behalf of the Respondent(s). Further, each team has to submit only soft copies of the Memorials from each side. Non-compliance will entail a penalty of 1 point per copy not submitted.

b) Appellant memorials must have a Blue cover, and Respondent memorials must have a Red cover. The memorials shall not contain any form of identification apart from the team code. If any identification or mark, symbol, etc., which has the effect of identifying the team is found on the Memorial, it shall result in instant disqualification. A penalty of 1 mark shall be levied if the Memorial is submitted in any other format or as a multiple file by the team. The hard copy of the Memorial (which is to be submitted by finalists only) must be a replica of the soft copy submitted to the organisers. Any difference in the same will result in disqualification from the Competition.

c. While sending the softcopy of the memorials in PDF format, please name the file pertaining to the Respondent as R accompanied by the team code and name the file pertaining to the Petitioner as P accompanied by the team code. For example, the Respondent of Team 06 should name the PDF file as R06.

d. Each Team must send a soft copy of their memorials from both Petitioner and Respondent's side (in PDF format only) in the same mail for evaluation by **21/03/2024 before 11:59 P.M.** to events.law@vupune.ac.in and cc to divyanshu.priyadarshi@vupune.ac.in with the subject line "**Submission of Memorials for Team Code**". e.g. if the Team Code is 06, then the subject of the mail will be "**Submission of Memorials for TC 06**".

GUIDELINES FOR FORMATTING

1. STRUCTURE OF MEMORIAL

- a) Cover Page
- b) Table of Contents
- c) Index of Authorities
- d) Statement of Jurisdiction
- e) Statement of Facts (Argumentative statement of facts would attract penalties)
- f) Issues raised
- g) Summary of Arguments
- h) Arguments Advanced
- i) Prayer
- j) Exhibits (Optional)

Non-compliance with above criteria shall result in a penalty of two marks for each missing section.

2. TEAM CODE:

The team code must be ascribed on the top right corner of the cover page.

3. CONTENT SPECIFICATIONS: The following content specifications must be strictly adhered to:

- a. Font and Size (General) - Times New Roman, 12 pts
- b. Line Spacing (General) - 1.5 lines
- c. Font and Size (Footnotes) - Times New Roman, 10 pts
- d. Line Spacing (Footnotes) - Single line
- e. Page Margins - 1 inch on all sides
- f. The citation should be in compliance with the 20th edition of Bluebook. Speaking footnotes or Endnotes are not allowed.

MARKING CRITERIA OF MEMORIALS

The maximum scores for the memorials shall be 100 marks. The memorials shall be evaluated on the following criteria:

- a. Knowledge of Law and Facts: 30 Marks
- b. Proper and Articulate Analysis: 30 Marks
- c. Extent and Use of Research: 20 Marks
- d. Clarity and Organization: 10 Marks
- e. Grammar and Style: 10 Marks

DRAW OF LOTS

The Draw of Lots will determine from which side the participating team will present their arguments, i.e., Petitioner/Plaintiff or Respondent/Defendant. The Draw of Lots will also decide which team you will compete against (There will be no pre-decided fixtures). The team codes will be provided to teams before the draw of lots, but their participation sequence will be decided thereon.

ORAL ROUNDS

General Rules for Preliminary, Quarter and Semi Final rounds:

1. The oral rounds will be conducted online via live video conferencing. The details of the platform shall be shared with the teams via mail.
2. An Invitation link to the meeting shall be sent to participants on their respective email IDs submitted by them in the Registration Form.
3. The Participants are expected to be seated in a quiet space free from any echo and isolated from any form of disturbances.
4. The participants must make sure that the background is plain and sober so that it does not disturb the judges. Preference will be given to a White background. The participant should be visible in Portrait Mode / Vertical Manner.
5. The participants should only use their team code as their username while joining the meeting room.
6. All participants should be online at least ten (10) minutes before the commencement of their round.
7. The following are the mandatory system requirements to participate in the competition:
 - a. Computer/Laptop with a well-configured webcam.
 - b. A stable Internet Connection
 - c. Headphones or Earplugs that have a working microphone.
8. While in a round, the participants must always have their cameras on.
9. The participants should unmute their microphone when it is their turn to present their arguments or speak when asked by the judge or the Organisers to do so.
10. The participants should not use the group text feature of the Organizer's hosting platform to communicate with one another.
11. No screen sharing is allowed.
12. The Organisers shall not be responsible for any loss due to slow or non-functional Internet Connection during the competition.
13. The Organisers will not share moot court competition recordings. The marks given by the judges are final and binding.
14. In any case, the Organisers' decision shall be final and binding.
15. The Organisers shall have the rights reserved over all the audio, video or submitted memorials and compendium, and the organisers are free to use or dispose of them as they deem fit.

A. PRELIMINARY ROUNDS

- a. Each team will get 20 minutes to present their case.
- b. Each speaker should speak for a minimum of 8 minutes.
- c. The time stated above includes the time required for rebuttal and sur-rebuttal. However, the maximum time taken for rebuttal and sur-rebuttal shall be at most 5 minutes.
- d. Each team shall present one side in this round. The team will represent the Petitioner's or Respondent's sides in the sequence determined under Draw of Lots. The top 12 teams, based on their Total Preliminary Score in the Preliminary Round, shall qualify for the Quarter-Final Rounds. The total Preliminary score does not include the memorial score.

B. QUARTER FINAL ROUNDS

- a. Each team will get 20 minutes to present their case.
- b. Each speaker should speak for a minimum of 8 minutes.
- c. The time stated above includes the time required for rebuttal and sur-rebuttal. However, the maximum time for rebuttal and sur-rebuttal shall be less than 5 minutes.

C. SEMI FINAL ROUNDS AND FINAL ROUND

- a. Each team will get 30 minutes to present their case.
- b. One speaker shall use up to 15 minutes of the total time.
- c. The time stated above includes the time required for rebuttal and sur-rebuttal. However, the maximum time for rebuttal and sur-rebuttal shall not exceed 5 minutes.
- c. This will be a knockout round.

D. MARKING CRITERIA

Maximum scores for the oral rounds shall be 100 points per speaker, which shall be judged on the following criteria:

1. Knowledge of Law- 20 Points
2. Application of Law to Facts- 20 Points
3. Response to questions & Articulation - 20 Points
4. Poise, Courtesy and Demeanor- 20 Points
5. Time Management- 10 Points
6. Organisation- 10 Points

AWARDS AND CERTIFICATES

AWARDS AND CERTIFICATES

1. The winner of the Final Round will be given
the “Best Team” certificate and a cash prize of Rs. 10,000
2. The runner-up of the Final Round will be given
the “1st Runner Up” certificate and a cash prize of Rs. 8000
3. The team with the highest memorial scores will be given
the “Best Memorial” certificate and a cash prize of Rs. 2000
4. The “Best Mooter” award shall be determined based on the total marks secured during the Preliminary Round and will be given **the “Best Mooter” certificate and a cash prize of Rs. 2000**
5. In addition to the above, certificates will be issued to all the participants only during the valedictory function, and no prior request shall be entertained in any case.

ANONMITY

The student counsels shall not state their names during the oral rounds and must use the assigned team code for all correspondence. All team members must refrain from disclosing the identity of their institutions at any time and in any manner during the entire Competition. Non-compliance with this Rule will result in immediate disqualification of the team.

FINALITY OF DECISION

The judges' decision about the rounds' outcome shall be final. For all purposes and in any dispute, the decision of the Convener of the Competition's Organising Committee shall be final and binding.

CLARIFICATIONS

Any clarifications regarding competition and the moot problem may be communicated through the below email ID, with the subject line Clarification_Moot Court.

E-mail id- events.law@vupune.ac.in



MOOT PROBLEM

The Republic of Indiana stands as a cradle of artistic brilliance, harbouring a multitude of gifted creators whose talents span the realms of painting, poetry, and various forms of artistic expression. These luminaries have honed their craft through generations, captivating global interest with their evolving artistry. Indiana has emerged as a beacon, drawing aspiring artists seeking inspiration and guidance and fostering a vibrant creative community.

Furthermore, the Republic of Indiana has undertaken the noble charge of nurturing artistic development and implementing safeguards to protect its artisans. Among these distinguished creators is Mr. Shridhar Trivedi, a custodian of his great-grandfather's esteemed legacy in painting. With brushwork unparalleled in its finesse, Mr Trivedi epitomises humility and experience inherited from his ancestral lineage. Renowned for his distinctive style characterised by bold strokes and vivid hues that infuse vitality into his canvases, Mr Trivedi possesses a remarkable ability to transmute unconventional colour schemes into masterpieces that defy conventional norms.

Despite attaining acclaim as the premier artist of the Republic of Indiana, Mr. Trivedi remains resolutely humble, acknowledging his imperfections and steadfastly committed to continual growth. His artworks, imbued with a rare combination of nobility and talent, are highly coveted by discerning collectors and fervent art enthusiasts, cementing his status as an icon of artistic brilliance within Indiana and beyond.

Amidst the landscape of revolutionary technological advancements, a group of visionary creators with ambitious aspirations to transform the art industry existed. This collective of like-minded entrepreneurs, alongside adept coding experts from the country of United Salvana, embarked on an exciting venture, birthing what would later become known as 'AI Artify.' Under the stewardship of its CEO, Mr. Gary Gustavo, this company was established on 02nd February 2020. Although technically a Salvanian enterprise originating from Morolado, AI Artify's mission was to develop software capable of generating high-quality artwork. To train the AI, 'AI Artify' used the existing repository of published artwork, including masterpieces and artworks from artists worldwide. Following a series of iterative enhancements and rigorous training sessions, the company unveiled a fully refined version of its service to the public on 14th July 2021. This version worked on a subscription model whereby the user was required to pay a subscription fee to avail of its services. The services included generating artwork and creating printable versions in desired dimensions to facilitate print on various articles such as coffee mugs, t-shirts, slippers, etc.

'AI Artify' soon began to be widely used by people across the world for generating artworks which looked 'inspired by' or 'similar to' those created by famous artists. Mr. Trivedi wrote an article on his blog expressing his opinion about 'AI Artify' and its use. He felt that 'AI Artify' was in fact infringing upon the rights of artists, including his own. The reason for his statement was because he had seen images being circulated online which was clearly resembling his style of paintings, and these online images had been generated by 'AI Artify'.

The article was read by many people and it soon became viral. This raised a public debate of whether 'AI Artify' was infringing upon the rights of artists. It was a general conflict between the artists and technologists and a genuine study for legal experts from all corners of the art world. Eventually, the technologists held that the AI was merely a tool, and it was up to the user to decide how to utilise it. 'AI Artify' said that the AI's ability to generate images in Mr Shridhar Trivedi's style was not a deliberate act of infringement but rather a result of the AI's learning algorithm. On the other hand, Mr Shridhar Trivedi's supporters contended that the AI's ability to replicate his art style clearly infringed on his intellectual property rights. They believed AI Artify should be held accountable for the unauthorised reproduction of Mr. Shridhar Trivedi's unique brushstrokes and artistic expression.

Mr Shridhar Trivedi decided to take legal action to safeguard the rights of artists around the world who possibly could feel threatened by the usage of their art by an AI and filed a lawsuit in the Delhi High Court against AI Artify, alleging that the AI infringed upon his intellectual property rights. He argued that the AI's ability to generate images in his distinct art style was a direct violation of his artistic expression and the uniqueness of his work. He further said that this violates the rights of intellectual property of all the artists around the world, which should be safeguarded. Mr Trivedi also cited an example of an artwork closely resembling his found on a pair of slippers which was generated by 'AI Artify'. He contended that because the original artist did not have any control over the further usage of the AI-generated art, it infringed the artist's moral rights.

As the case gained prominence, both sides presented compelling arguments and evidence. Mr Shridhar Trivedi and his supporters showcased numerous artworks resembling his own, highlighting undeniable similarities and the potential harm to his artistic career. They argued that AI Artify had infringed upon Mr Trivedi's intellectual property rights by producing such works. Mr Shridhar detailed how the proliferation of AI-generated artworks resembling his own had led to a significant decline in demand for his original pieces, resulting in substantial monetary losses. This also underscored the profound economic repercussions faced by artists like Mr Trivedi in an increasingly digitised and interconnected world, where the boundaries of artistic ownership and commercial exploitation are constantly being tested.

On the other hand, the first contention of the defence was that the courts of Indiana did not have jurisdiction over the matter as AI Artify was not established in Indiana. They further contended that the AI's output was not an exact reproduction of Mr Trivedi's paintings but an interpretation influenced by various art styles. They emphasised that AI served as a tool for inspiration rather than a replacement for human creativity.

The case evolved into a debate between artistic expression and technological progress, raising profound questions about the boundaries of intellectual property rights in the modern era. The court's decision would impact Mr. Shridhar Trivedi's future as an artist and establish a precedent for the broader art community and technological innovation.

After considering both parties' evidence and legal arguments, the High Court of Delhi issued its ruling. The court deliberated on the complex issues surrounding copyright law in the context of AI-generated artworks. It rendered a judgement in favour of Mr Trivedi, affirming the existence of copyright infringement by AI Artify. Dissatisfied with certain aspects of the High Court's ruling, AI Artify approached the Supreme Court of Indiana, seeking a review of the decision. They raised critical legal questions pertaining to the interpretation and application of copyright law in relation to AI-generated content. The case is now pending before the Supreme Court, awaiting further proceedings and a final decision on the matter. The Supreme Court's ruling will have far-reaching implications for interpreting intellectual property rights in the digital age and regulating AI technology in creative industries.

Both parties are set to argue their respective cases before the Supreme Court of the Republic of Indiana. It's essential to note that the laws of the Republic of Indiana are *pari materia* to the laws of the Republic of India.

ISSUES

The participants shall frame issues on Jurisdiction, Copyright Infringement and Moral Rights violation.



REGISTRATION DETAILS

To confirm participation, teams from every institution should register themselves. The registration fee for every team is **Rs. 3000/-**. The registration amount is to be paid into the account below.

Account Holder: Vishwakarma University

Bank Name: NKGSB Co-op Bank Ltd.

Account No.: 081100900000003

Account Type: Current Account

Branch Name: Vadgaon Sheri, Pune-411014

IFSC Code: NKGS0000081

MICR Code: 411086011

1. The duly completed Google Form for Registration with all team details and payment details must be submitted to the Moot Court Organising Committee on or before **15/03/2024** by 11:59 p.m. (IST). The names of the participants shall remain the same after the receipt of the Registration Form, except at the sole discretion of the Organisers.
2. All teams shall be given a "Team Code" by the Organisers on validation of their Google Form for Registration.
3. The teams shall use their designated "Team Code" to correspond with the Organisers.
4. The teams must use the same team code during the submission of Memorials and all the Rounds of the Competition.

The Teams must register via the below link or QR Code.

<https://forms.gle/Jh4xQizzvL23t8W1A>



Vishwakarma University, Pune
Survey No. 2, 3, 4 Laxmi Nagar,
Kondhwa (Bk.) Pune - 411048. Maharashtra, India.

Student Conveners:

Isha Patil: 9422038081 | Jay Patel: 9834766577

Faculty Conveners:

Prof. Divyanshu Priyadarshi. divyanshu.priyadarshi@vupune.ac.in

Prof. Unmesha Patil. unmesha.patil@vupune.ac.in

www.vupune.ac.in

