



FEDERAL UNIVERSITY OF TECHNOLOGY, MINNA
SCHOOL OF INFORMATION AND COMMUNICATION TECHNOLOGY
DEPARTMENT OF INFORMATION AND MEDIA TECHNOLOGY

SECOND SEMESTER 2017/2018 EXAMINATION

COURSE CODE: CIT 523
COURSE TITLE: IT LAWS AND PATENT
CREDIT UNITS: 2
DATE OF EXAM 18th September, 2018
TIME ALLOWED: 3 HOURS
COURSE LECTURER(S): BARR. KASSIM AGBONIKA
NUMBER OF QUESTIONS: 4
NUMBER OF PAGES: 3

INSTRUCTIONS

- Answer all questions
- Do not use red pen
- Please use a clear handwriting
- This exam is closed book, closed notes, closed laptop and closed cell phone
- Please use non-programmable calculators only



1. a) Define the following terms in relation to the novelty requirement of a patent
 - i. State of the art
 - ii. Disclosure
 - iii. Prior use
 - b) Mention any 2 IP offences against the spirit of section 39 of the Constitution of the Federal Republic of Nigeria 1999 (as amended). State the laws which regulate the 2 IPs you mentioned.
 - c) State one difference each between the following
 - i. Claims and specification
 - ii. Discovery and invention
 - iii. Offer and invitation to treat
 - d) i. Is electronic signature admissible for contracts in Nigeria? State the statutory provision to support your answer
 - ii. State any 2 functions of electronic signature
 - iii. Mention any 4 legal documents that cannot be validly signed electronically.
2. At the 2015 Graduation dinner hosted by the Vice-Chancellor last Saturday at the Oche Anefu Hall, Gbenga found himself showered with lots of encomium for his feat in designing a new application that employs biometrics to monitor students and staff attendance at scheduled classes. Various invited educationists at the dinner took turns to celebrate this application and emphasise its high commercial prospects. Gbenga has now consulted you on seeking legal protection for this application.
 - a. What two legal protections would you advise Gbenga to seek for the application? Give reasons for each.
 - b. What are the requirements for the eligibility of both kinds of protections sought?
 - c. What are the procedures for acquiring each of these protections?
 - d. Give two reasons intellectual property law insists on the disclosure of inventions.
3. a) (i) The police has filed a charge against Asuquo at Igbohere Magistrate Court Lagos. It is being alleged that Asuquo while in the Gidan Kwano Boys Hostel unlawfully accessed the bank details of Alhaji Maishanu online and transferred a huge sum of money from his account at the Kano branch of Kudi Bank. Asuquo wishes to challenge the jurisdiction of the court at Lagos to hear the matter. Will he succeed?
 - (ii) With relevant statutory provisions, discuss any four principles which may affect the decision on where to prosecute cyber offences.
 - b) Discuss the following in the context of digital evidence



- i. The Rule of Hearsay
- ii. Relevancy
- iii. The Best Evidence Rule

4. a) During a dialogue between Ladi and Laraba on a mobile phone-supported whatsapp platform on how to approach a certain IT Law assignment, an altercation ensued between both of them. As they exchanged insults and invectives, Laraba alleged that Ladi had slept with two of her male classmates in the previous semester. Ladi was infuriated by this. To report the case, she copied the conversation and mailed it to Chioma their Class Rep. Laraba also felt bad and copied the conversation and sent it to their class' group chat platform.
- (i) Can they bring this conversation in their phones to prove the case of defamation? Why?
 - (ii) Whatsapp Company is suing them for using its platform for vulgar abuse and quarrels as against its stipulated terms and conditions. Ladi and Laraba wish to argue that clicking the 'Accept' button did not bind them to the said terms and conditions of Whatsapp Company. Advise the Whatsapp Company.
 - (iii) Do you think the said terms and conditions could amount to a valid contract? Give reason for your answer.
- b) Kabiru is standing trial in a criminal case in which a fact in issue is whether or not he has paid his school fees for this session to the university. To prove his case, he has three exhibits to tender in court namely; (1) the soft copy of his school fees receipt downloaded from the university registration portal, (2) a print-out of this receipt and (3) a photocopy of the print-out.
- i. What type of evidence are these three exhibits?
 - ii. 1. In one sentence, state the step he should take to tender the photocopy of the print-out.
2. Why and how should he take the step?
 - iii. In tendering the print-out, what is he required to do to make the print-out admissible? Why?