

FEDERAL UNIVERSITY OF TECHNOLOGY, MINNA
SCHOOL OF INFORMATION AND COMMUNICATION TECHNOLOGY
DEPARTMENT OF INFORMATION AND MEDIA TECHNOLOGY
2013/2014 SESSION, SECOND SEMESTER EXAMINATION

CIT 523 IT LAWS AND PATENTS

Instruction: Answer question one and any other 2 questions.

Time: 2Hrs

QUESTION 1

Femi had his internship under the SIWES programme with Glugon Technologies Ltd, an ICT firm at Keffi, Nasarawa State. While with the firm, he worked on a project to design a Students' Results Management application. The firm's ICT Engineers saw the great commercial prospects for this application and have developed it fully with several functionalities which will solve serious problems associated with results collation, compilations and management. The company has invited Femi for a meeting next week for discussion on legal issues involving protection and commercialization of the product. Please give your opinion on the following enquiries to help Femi contribute informedly to the scheduled discussion.

- (a) Is the product registerable or capable of legal protection? Give reason(s) for your answer (3 marks).
- (b) If your answer to the above is yes, what are the essential requirements for registration? (6 marks)
- (c) Where will it be filed for registration? (2 marks).
- (d) What are the procedures for such registration? (6 marks)
- (e) Comment on the ownership of this product. (3 marks).
- (f) Mention two laws that may directly be relevant to the registration of the product. (3 marks).
- (g) Mention 2 exemptions non-eligible for the kind of protection sought for this product. (4 marks).
- (h) Give two reasons for which the firm would want to register this application. (3 marks).

QUESTION 2

- (a) What is digital or electronic evidence? (1½ marks).
- (b) What are the phases of digital evidence? (2 marks).
- (c) Mention 5 sources of digital/electronic evidence. (2½ marks).
- (d) Comment on the following:
 - (i) Whether digital or electronic evidence is primary or secondary evidence (4 marks).
 - (ii) The requirement for tendering electronic evidence under S 84 of the Evidence Act, 2011. (5 marks).

QUESTION 3

Discuss 5 legal challenges arising from the use of ICT in Nigeria. (15 marks).

QUESTION 4

- (a) What are the elements of a valid contract? (4 marks)
- (b) Differentiate between a regular contract and an electronic contract. (3 marks)
- (c) Comment on the following issues arising from electronic contracts:
 - (i) Conclusion of an electronic contract (4 marks).
 - (ii) Electronic signature reflecting on S93 of the Evidence Act 2011 (4 marks).

QUESTION 5

- (a) Eunice is not a subscriber to the Ogogoro TV (a pay TV channel) but she has managed to de-encrypt the technical protection by which non-payers are prevented from receiving programmes on the television. Has she committed any offence? If yes, what offence has she committed? Give reasons for your answer (4 marks)
- (b) What kind of legal protection would you advise as best for the following? State registerability of the products
 - (i) Computer programmes and codes. (2½ marks).
 - (ii) CDs and DVDs not yet officially released to the cinema (2½ marks).
- (c) (i) Mention four other ways by which infringement of this kind can occur. (2 marks).
- (ii) What are the essentials for eligibility to legal protection of the products in (b) above? (2 marks).
- (d) Which court would you sue for this kind of infringement? (2 marks)

QUESTION 6

- (a) (i) I just bought a NOKIA N95 phone. Mention 3 types of IP found therein. Give 2 examples for each (4½ marks)
- (ii) List 5 characteristics of IP (2½ marks).
- (b) Give two imperatives for a sound ICT legislation in Nigeria (3 marks)
- (c) Mention 2 extant Nigerian laws related to ICT. State how related the laws you mentioned are to ICT. (5 marks).