



# Vidhi Pragati: National IP Moot Court Competition

7th February, 2025 - 9th February, 2025

Department for Promotion of Industry and Internal Trade,  
Ministry of Commerce and Industry, Government of India

in collaboration with

DPIIT IPR Chair, National Law University Delhi and  
Centre for Innovation, Intellectual Property and Competition

Sector-14, Dwarka, New Delhi-110078



उद्योग संवर्धन और आंतरिक व्यापार विभाग  
DEPARTMENT FOR  
PROMOTION OF INDUSTRY AND  
INTERNAL TRADE



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# About the Partners

## **ABOUT DPIIT**

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The Department for Promotion of Industry and Internal Trade (DPIIT) was established in 1995 to foster industrial growth in India. In 2000, it expanded its mandate through a merger with the Department of Industrial Development. Operating under the Ministry of Commerce and Industry, Government of India, DPIIT is instrumental in formulating and implementing policies that enhance the industrial sector. The department's initiatives align with national priorities and socio-economic objectives, promoting sustainable and inclusive industrial growth that contributes to the overall development of India's economy.

## **ABOUT NLUD**

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National Law University Delhi (NLUD), established by Act 1 of 2008, aims to provide comprehensive and interdisciplinary legal education that is socially relevant. Its vision is to be a leading global institution, offering diverse opportunities for contributions to the legal profession. NLUD's curriculum bridges theoretical concepts and practical applications, fostering innovation and a scientific mindset among students to drive future change. The notable achievements of its students and faculty highlight the university's exceptional talent, and NLUD has consistently ranked 2nd in the Law Category of the National Institutional Ranking Framework (NIRF), Ministry of Education., Government of India.

## **ABOUT IPR CHAIR, NLUD**

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The Chair on Intellectual Property Rights (IPR) at National Law University Delhi (NLUD) was established by the DPIIT, Ministry of Commerce and Industry, in October 2018 to enhance IP education and research. It focuses on the intersection of IP law with public policy and international issues relevant to India. Guided by Dr. Yogesh Pai, the Chair undertakes a wide range of initiatives, including research on emerging IP areas and educational programs like L2Pro India. The Chair also organizes events to raise awareness among students, researchers, and practitioners, along with outreach activities to promote IP knowledge.

## **ABOUT CIIPC**

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The Centre for Innovation, Intellectual Property and Competition (CIIPC), established in 2015, fosters dialogue and research on innovation, intellectual property (IP), and competition. It employs empirical and interdisciplinary methods to explore contemporary issues in the field of IP. CIIPC also plays a vital role in various educational initiatives, including its involvement in the LL.M. program in IP Administration and Legislations, an executive diploma program tailored for officials of the CGPDTM and WIPO-NLUD-IPO Joint Masters/LL.M. in IP Law and Management Programme. Additionally, CIIPC hosts workshops, conferences, and courses to build capacity and facilitate discussions among scholars and industry professionals, attracting renowned experts and enthusiastic attendees from India and the Asia-Pacific region.

# Message for the Participants



## Message from the Vice Chancellor of NLUD

It is my pleasure to extend a warm welcome to all participants of the inaugural edition of Vidhi Pragati: National IP Moot Court Competition, 2024. National Law University Delhi, under the aegis of its SPRIHA IPR Chair and the Centre for Innovation, Intellectual Property, and Competition (CIIPC), is organizing this event in association with the Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry.

Mooting is a cornerstone of legal education, providing students with the opportunity to hone their advocacy, research, and analytical skills. As the first edition, this flagship IP Moot Court competition marks a significant milestone, especially with its focus on Copyright and Artificial Intelligence. It offers a unique platform to engage with contemporary IP issues, contributing to the growth and development of this dynamic area of law.

I wish all participants the very best and encourage them to make the most of this enriching experience. May your efforts lead to great success!

**Prof. (Dr.) G.S. Bajpai**  
Vice Chancellor, National Law  
University Delhi



## Message from the Secretary of DPIIT

I am delighted to extend my best wishes to all participants of the Vidhi Pragati National IP Moot Court Competition, 2025. Intellectual Property (IP) plays a pivotal role in shaping the global economy, fostering innovation, and protecting the rights of creators and inventors. These intangible assets have the power to create value not only for the individual but also for the society at large. This moot court competition serves as an important platform for young legal minds to deepen their understanding of IP law and to develop the analytical skills needed to navigate the complexities of this dynamic field. I encourage all participants to approach the competition with dedication and enthusiasm. The experiences gained here will not only enhance your legal acumen but also prepare you to contribute meaningfully to the evolving landscape of intellectual property law in India and beyond.

Best wishes for a successful and enriching competition.

**Amardeep Singh Bhatia**  
Secretary, Department for Promotion  
of Industry and Internal Trade

# About the Competition

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The Centre for Innovation, Intellectual Property and Competition as well as IPR Chair at National Law University Delhi in collaboration with Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry is extremely proud to announce the inaugural edition of its prestigious **Vidhi Pragati: National IP Moot Court Competition**. This competition is designed for participants to increase their advocacy skills, work on contemporary legal issues, and gain comprehensive knowledge of Intellectual Property Laws, its enforcement, and the latest case laws.

The theme of the inaugural edition of is "**Artificial Intelligence and Copyright**." This theme is of paramount importance in today's digital landscape, where the rapid advancement of AI technologies is fundamentally transforming the creative industries. As AI-generated content becomes increasingly prevalent, crucial questions arise regarding authorship, originality, and the extent of copyright protection. This competition aims to nurture young legal minds, promote innovative thinking in intellectual property law, and underscore the importance of adapting copyright regulations in the context of artificial intelligence advancements. This competition encourages participants to critically engage with the challenges and opportunities that AI presents to the realm of copyright.

Scheduled to take place from **7th February 2025 to 9th February 2025**, this premier event is anticipated to attract participation from law schools across the nation, thus fostering a vibrant spirit of mooting and scholarly discourse. Participants will be challenged to present meticulously reasoned arguments and engage in profound intellectual exchanges, adjudicated by distinguished legal scholars and practitioners.

We look forward to your participation in this significant event that promises to shape the future of intellectual property law in the context of artificial intelligence.

# Awards

## Cash Prizes



**Winning Team**  
**Rs. 1,00,000/-**



**1st Runner Up**  
**Rs. 75,000/-**



**2nd Runner Up**  
**Rs. 50,000/-**



**Best Memorial**  
**Rs. 50,000/-**



**Best Researcher**  
**Rs. 25,000/-**



**Best Speaker**  
**Rs. 25,000/-**



# SCHEDULE





# MOOT COURT RULES

## 1. INTRODUCTION

- 1.1 The Vidhi Pragati: National IP Moot Court Competition (hereinafter referred to as the 'Moot Court Competition') is being organized by the DPIIT-IPR Chair, NLU Delhi in association with DPIIT, Ministry of Commerce and Industry. The moot is envisaged to be an annual competition of teams representing law schools throughout India.
- 1.2 The Moot Court Competition is crafted as a comprehensive educational co-curricular activity with a multifaceted approach, rather than merely a competitive event with incidental educational benefits. The rules and procedures of the moot should be interpreted and applied with this educational objective as the primary guiding principle.

## 2. ORGANIZATION OF THE MOOT AND ORGANIZING BODY

- 2.1 The official language of the competition is 'English', and all oral arguments and memorial must be made in 'English'.
- 2.2 The IPR Chair, instituted by Department for Promotion of Trade and Industry (DPIIT) at NLU Delhi – Centre for Innovation, Intellectual Property and Competition (CIIPC), will serve as the Organizing body for the event, operating under the auspices of the DPIIT. The Organizing body retains exclusive authority to:
  - 2.2.1. Enforce all competition rules.
  - 2.2.2. Interpret the rules as necessary.
  - 2.2.3. Settle any disputes that arise during the competition.
  - 2.2.4. Address inquiries and provide clarifications regarding the moot problem.
  - 2.2.5. The Organizing Body retains the right to modify the rules or supplement them, if necessary.
  - 2.2.6. The OB reserves the right to modify the moot problem at any stage, provided that prior notice is given to all participating teams. The Organizing body reserves the right to disqualify any team if their behaviour is deemed to constitute a serious breach of the rules or the overall spirit of the competition.
  - 2.2.7. The Organizing Body will not engage in the evaluation of memorial or oral pleadings submitted by the participating teams.
  - 2.2.8. The Student Conveners within the Organizing Body will exclusively manage the exchange of memorials, score-sheets, and related tasks to ensure the highest level of discretion, acting under the guidance and advice of the Competition Coordinator. However, the entire Organizing Body will participate in Organizing the oral rounds.
- 2.3 All materials relevant to the administration of the competition will be made available on the official website as well as the social media handle of Vidhi Pragati: National IP Moot Court Competition. Further, the participating teams shall also receive email updates.

- 2.4** All questions or inquiries regarding the competition must be submitted in writing (email is acceptable) to [dpiit.ipr@nludelhi.ac](mailto:dpiit.ipr@nludelhi.ac). If a question or inquiry has implications for all participating teams, the query and its response will be shared with all participating teams via email. Clarifications regarding the Moot Proposition are excluded from this process.

### **3. STRUCTURE OF THE COMPETITION**

- 3.1.** The Moot Court Competition operates on an invitational model. However, if the number of registered teams exceeds 26, selection for participation will be based on the evaluation of their memorials. Thus, the Competition shall comprise of two stages. Stage I shall be the Memorial Qualifier Round. This shall be open to all teams which register for the competition after receiving the invitation. The results of this round shall be based on evaluation of memorials and shall determine the 26 teams which will proceed to Stage II.
- 3.2.** Stage II shall be the Oral Rounds. The teams that qualify Stage I shall be eligible to participate. The Competition shall consist of the following Oral Pleading Sessions:
- 3.2.1.** The Preliminary Rounds (I and II);
  - 3.2.2.** The Quarter-Final Rounds;
  - 3.2.3.** The Semi-Final Rounds; and
  - 3.2.4.** The Final Round.

### **4. PARTICIPATION AND ELIGIBILITY**

- 4.1.** Administration: The competition is open to all law students currently enrolled in recognized 3-year LL.B or 5-year integrated LL.B programs. Each institution may send only one team to represent them. Participation is limited to law teaching universities, including National Law Universities (NLUs) and other institutions offering undergraduate law degrees, that are part of the SPRIHA Scheme or are listed under the 'Law Category' of National Institutional Ranking Framework, 2024.
- 4.2.** Registration Procedure & Fees:
- 4.2.1.** Interested teams are required to register for the Competition by filling the registration form. The link to the form is [here](#).
  - 4.2.2.** Each Team is required to upload a copy of a bona-fide letter issued by the appropriate authority of their Institution/College/University as a part of the Registration Form.
  - 4.2.3.** While filling the Registration Form, the teams have to choose a primary contact person, alternatively called a 'Point of Contact' ("POC"). All communications concerning the Competition will be sent by an e-mail to the nominated contact person. The nominated contact person shall be responsible to convey all the information to the team. The teams are also required to mention the e-mail of either the respective committee or the head/ dean of the institution in the Registration Form.
  - 4.2.4.** Any changes in the contact details of team members must be notified to the Organizing Body at the earliest. This obligation to inform shall continue throughout the course of the Competition, unless such a team withdraws or is otherwise disqualified from the Competition.

- 4.2.5. After submission of the Registration Form, a mail confirming the provisional registration will be sent to the respective committee or Head/Dean of the Institution/ the point of contact of the team.
- 4.2.6. The last date for completion of all the registration formalities is before 30.11.2024 (11:59 PM IST).
- 4.2.7. The confirmation of Registration will be notified to the teams by the Organizing Body, after the completion and verification of all the registration formalities.
- 4.2.8. Each team will receive a unique Team Code, which must be used for identification throughout the competition. It is imperative that all team members refrain from revealing their institution's identity at any time or in any form during the competition. Any violation of this rule may result in disqualification at the discretion of the Organizing Body. The Organizing Body' decisions regarding compliance are final and binding.

4.3. There is no registration fee for the competition.

## 5. THE MOOT PROBLEM AND CLARIFICATIONS

- 5.1 Theme: The theme of this year's moot problem would be Artificial Intelligence and Copyright.
- 5.2 Release of the Moot Problem: The moot problem will be released on 14.10.2024. Participants will be informed of the release via email sent to the Point of Contact (POC). It is the responsibility of the participants to download the moot problem from the specified location. Please note that no individual notifications will be sent regarding this matter.
- 5.3 For the purpose of seeking clarifications, participants can fill the Google Form using this [link](#). The deadline for seeking clarifications is 11:59 PM on 03.11.2024. Answers to clarifications sought shall be released on 11.11.2024.

## 6. TEAM COMPOSITION AND SUBSTITUTION

- 6.1. Each team shall comprise of three members, wherein two members shall perform the role of a speaker and one member shall perform the role of a researcher. Only the speakers are allowed to make submissions during the oral rounds.
- 6.2. Substitution of any team member after the registration deadline is generally prohibited. Exceptions will only be considered in extenuating circumstances and must receive prior approval from the Organizing Body.
- 6.3. Alterations to the team composition as specified at the time of registration are not allowed. Any changes to the team composition will only be permitted under exceptional circumstances and require prior authorization from the Organizing body.

## 7. MEMORIAL

### 7.1. Memorial Submission:

- 7.1.1** Every team which has successfully registered for the competition is required to prepare two memorials: Memorial on behalf of the Petitioner(s) and Memorial on behalf of the Respondent(s).
- 7.1.2** All teams are required to send soft copies of their memorials for Stage I: Memorial Elimination Round before 27.12.2024 (11:59 P.M. IST) to [dpiit.ipr@nludelhi.ac.in](mailto:dpiit.ipr@nludelhi.ac.in) with the subject, "Team Code: Submission of Memorials".
- 7.1.3** A penalty of 3 point per day on each memorial shall be imposed for any submission made post the deadline specified. Memorials submitted 48 hours beyond the deadline specified shall not be evaluated.
- 7.1.4** The memorials which are submitted for the memorial qualifier round shall be considered final. After the completion of the Competition, the Organizing Body reserve the right to use the memorials as they deem appropriate.

### 7.2. Memorial Format:

- 7.2.1.** All submissions of the memorial must be provided in both Microsoft Word Document format (.doc/.docx) and PDF format. Teams are required to submit both versions of the memorial: one in Microsoft Word and one in PDF.
- 7.2.2.** The files should be named according to the Team Code and the side for which the Memorial is prepared. The Team Code on the upper right-hand corner of the cover page is to follow the same format (for instance, Team 01 will name its Memorial for the Petitioner as 01\_P and the Memorial for the respondent as 01\_R). Use of any other format (example "Team 08C" or "Team 10R") will be penalized.
- 7.2.3.** The citation format must be the 8th edition of OSCOLA. Speaking footnotes and endnotes are not allowed.
- 7.2.4.** The cover page of the memorial must contain only the following information in the same format and in the same order-
- Team Code in the upper right-hand corner, followed by a 'P' for the Petitioner(s) Memorial, or an 'R' for the Respondent(s) Memorial. (i.e. Team 01 shall write "01\_P" and "01\_R")
  - The name of the Competition and Year
  - Cause Title
  - The title of the document (i.e. "Memorial for Respondent" or "Memorial for Petitioner")
- Note:** The background colour of the "Memorial for Petitioners" shall be blue and of the "Memorial for Respondents" shall be "Red"

**7.2.5.** All pages of the Memorial including the cover page, shall adhere to the following mandatory specifications:

- a) Page Size:** A4
- b) Font Type:** Times New Roman
- c) Font Size:** 12
- d) Line Spacing:** 1.5
- e) Body of Text:** Justified
- f) Paragraph Spacing:** Before 0, After 6 (the option “*don’t add space between paragraphs of the same style*” **should not** be selected)
- g) Margin:** 1.5 Inch on the left and 1 Inch on the remaining sides
- h) Border:** No borders
- i) Preliminary Pages:** Number using Roman numerals (i, ii, iii, iv, etc.).  
**Note:** The preliminary pages include: Table of Contents, Table of Abbreviations, Index of Authorities, Statement of Jurisdiction, Statement of Facts and Statement of Issues”.
- j) Main Pages:** Number using Arabic numerals (1, 2, 3, etc.), starting with "1" at the first page of the main text.  
**Note:** Main pages include, Summary of Arguments, Arguments Advanced and Prayer’.

For footnotes, the formatting specifications are:

- a) Font Type:** Times New Roman
- b) Font Size:** 10
- c) Line Spacing:** 1.0
- d) Paragraph Spacing:** 0
- e) No additional space between 2 footnotes**
- f) Body of Text:** Justified

**7.3.** Teams are required to send the soft copies of the Memorial within the specified time frame, taking all contingencies into account. Equipment failure, computer disk failure, internet connectivity issues, etc. shall not be considered as grounds for condoning any penalty imposed due to late submission.

**7.4.** Each team is responsible for ensuring that the soft copy of the Memorial is accessible and can be opened using Adobe Acrobat Reader Version 8/Microsoft Word 2010 or later. Additionally, the document must be free of viruses and should not be password protected.

**7.5.** Memorial Content:

**7.5.1.** The Memorial shall mandatorily to contain the following sections:

- a) Cover Page
- b) Table of Contents
- c) Table of Abbreviations
- d) Index of Authorities
- e) Statement of Facts
- f) Issues Raised

- g) Summary of Arguments
- h) Arguments Advanced
- i) Prayer

**7.5.2.** The section on Arguments Advanced must not exceed 15 pages. The sections on Statement of Facts and Summary of Arguments are limited to 2 pages each. The section on Issues Raised is restricted to 1 page, and the Prayer may also be no more than 1 page.

**7.5.3.** The Memorial shall include the headers, footers, footnotes, page numbers and cover page.

**7.6 Penalties:**

**7.6.1.** Non-compliance with rule 7.4 or sub-rule 7.2.1 shall be deemed a complete failure to submit memorandums, and the team's memorandums shall not be evaluated.

**7.6.2.** Non-compliance with sub-rule 7.2.2 shall result in a penalty of 5 marks per document not properly named.

**7.6.3.** Non-compliance with sub-rule 7.2.3 shall result in a penalty of 1 point per page.

**7.6.4.** Non-compliance with sub-rules 7.2.4 & 7.2.5 shall result in a penalty of 1 point per page

**7.6.5.** Non-compliance of sub-rule 7.5.2 shall result in a penalty of 2 points for each additional page.

**7.6.6.** There shall be a cap on maximum formatting penalties which shall not transcend 20 points in any case.

**7.6.7.** The plagiarism in the memorial shall not exceed 15% of the overall content. The use of AI-generated content in any manner is strictly prohibited and must be 0%. Any violation of this sub-rule may result in disqualification or other penalties at the discretion of the Organizing Body.

**7.6.8.** Non-Compliance of Rule 12 shall result in a penalty of 5 marks per memorial or disqualification as per the discretion of the OC.

**7.7. Memorial Evaluation:** Each Memorial shall be evaluated out of 100 points by an evaluator. The criteria for evaluation are as follows:

Parameter	Marks Allocated
Understanding of Law and Extent of Research	25 points
Originality, Articulation and Clarity of Analysis	25 points
Knowledge and Integration of Facts	20 points
Clarity, Organization and Logical Progression	20 points
Grammar, Style and Citation	10 points

## **7.8. Qualification of Memorials:**

**7.8.1** After evaluation of the memorials submitted, the top 26 teams on the basis of their total scores in Stage I: Memorial Qualifier Round shall qualify to Stage II: Oral Rounds.

**7.8.2** The results of Stage I: Memorial Qualifier Round shall be declared on 13.01.2025.

**7.8.3** The teams that qualify Stage I will be required to confirm their participation in Stage II by filling the confirmation form sent to them by an e-mail before 15.01.2025 (11:59 P.M. IST).

**7.8.4** The teams that confirm their participation as per sub-rule 7.8.3 shall submit 3 hard copies of both “Memorial for Petitioner” and the “Memorial for Respondent” at least 24 hours before the beginning of the first Preliminary Round. Spiral binding of all hard copies of memorials shall be mandatory.

## **8. ORAL HEARINGS**

### **8.1. General Procedure:**

**8.1.1.** The oral rounds shall be conducted physically at the campus premises of National Law University Delhi and comprise of preliminary rounds, quarterfinals, semi-finals and final rounds.

**8.1.2.** The preliminary rounds shall consist of Preliminary Round 1 (“PR1”) and Preliminary Round 2 (“PR2”).

**8.1.3.** The fixtures for the Preliminary rounds shall be based on the Draw of Lots.

**8.1.4.** The team representing the Petitioner(s) shall submit their arguments first, followed by the team representing the Respondent.

**8.1.5.** Rebuttals or Replies to Rebuttals shall be delivered by only one speaker from each team. The Petitioner’s Rebuttals are limited to addressing the Oral Pleadings of the Respondent, while the Respondent’s Reply to Rebuttals is restricted to responding to the Petitioner’s Rebuttals.

**8.1.6.** Teams shall reserve a minimum of 1 minute for Rebuttals or Replies to Rebuttals during all Oral Pleading Sessions throughout the Competition. However, no team may reserve more than 5 minutes for this purpose.

**8.1.7.** Student counsels may introduce themselves by name during the oral rounds; however, they are strictly prohibited from disclosing their institution's name. In all other instances, they must use the Team Code without exception.

**8.1.8.** Memorials shall be exchanged 24 hours prior to the start of the preliminary rounds. For subsequent rounds, the exchange of memorials shall occur at a reasonable time determined by the Organizing Committee (OC) before each advanced round.

**8.1.9.** Teams are permitted to submit compendiums to assist the judges during the oral rounds. Compendiums must be submitted in printed form directly to the judges in their courtroom. Any attempts to submit or actual submission of the compendium via electronic means will result in the disqualification of the team. The decision of the Organizing Committee (OC) regarding disqualification shall be final.

**8.1.10.** In the event that any opponent Team fails to appear in an Oral Pleading Session, the round shall be conducted ex-parte and the scoring shall be done as if the defaulted Team had been present and arguing.

## **8.2. Procedures for Oral Submissions:**

**8.2.1** Each team shall be allotted 35 minutes to present their case in the Preliminary Rounds and the Quarter-finals. Each team shall be allotted 40 minutes to present their case in the Semi-finals and 45 minutes in the Finals. This shall include time allotted for arguments advanced, rebuttals, and reply to rebuttals.

**8.2.2** Teams may allocate speaking time between their two speakers at their discretion; however, the following time limits apply:

- **Preliminary Rounds and Quarter Finals:** Each speaker must speak for a minimum of 14 minutes and a maximum of 20 minutes.
- **Semi-Finals:** Each speaker must speak for a minimum of 17 minutes and a maximum of 23 minutes.
- **Finals:** Each speaker must speak for a minimum of 20 minutes and a maximum of 25 minutes.

**8.2.3** Time allocation between team speakers, as well as time reserved for rebuttals or replies to rebuttals, must be measured in whole minutes only.

**8.3** Before the Oral Round begins, the team must inform the manner in which the team wishes to divide its total time between its (i) first speaker, (ii) second speaker, and (iii) the rebuttal (for Petitioner) or reply to Rebuttal (for Respondent).

**8.4** The parties may make submissions during their oral arguments extending beyond the arguments advanced in the memorials.

**8.5** The researchers are also required to attend the oral rounds.

**8.6** All participants shall be dressed in formal courtroom attire.

**8.7** Use of any electronic gadgets is not permitted during the course of oral pleadings.

**8.8** The oral pleadings will be marked on a maximum of one hundred (100) points by each of the judges.



**8.9** Each speaker shall be judged on the basis of the following criteria:

<b>Parameter</b>	<b>Marks Allocated</b>
<b>Knowledge of Law, Identification of Legal Principles and Facts</b>	25 points
<b>Application of Law to Facts</b>	20 marks
<b>Persuasiveness and Ability to Answer</b>	20 points
<b>Organisation, Presentations, Clarity and Logical Reasoning of Arguments</b>	15 marks
<b>Time Management</b>	10 Marks
<b>Style, Poise, Courtesy and Demeanour</b>	10 Marks

**8.10. Preliminary Rounds:**

**8.10.1.** All the teams that qualify Stage I: Memorial Qualifier Round shall be eligible to participate in the preliminary rounds.

**8.10.2.** There will be two preliminary rounds in which each team must argue once as the Petitioner and once as the Respondent.

**8.10.3.** No team shall face the same bench or the same team more than once in the preliminary rounds.

**8.10.4.** The scores from both preliminary rounds shall be averaged to determine the overall score.

**8.10.5.** For the purpose of determining which teams shall advance to the Quarter-Finals, the scoring will be weighted as follows: 20% of the total points will be based on memorial scores and 80% will be based on oral round scores.

**8.11. Quarter-Finals:**

**8.11.1.** The top 8 teams with the highest overall points will qualify for the Quarter-Finals. In the event of a tie, memorial marks will be used as a tiebreaker.

**8.11.2.** For the purpose of determining which teams shall advance to the Semi-Finals, the scoring will be weighted as follows: 15% of the total score will be based on memorial scores and 85% will be based on oral round scores. This will be used to decide which team advances to the Semi-Finals.

## 8.12. Semi-Finals:

**8.12.1.** The winning team from each of the four Quarter-Final Rounds shall advance to the Semi-Final Rounds.

**8.12.2.** For the purpose of determining which teams shall advance to the Finals, the scoring will be weighted as follows: 10% for memorial scores and 90% for oral round scores.

## 8.13. Finals:

**8.13.1** The winning team from each of the two semi-final rounds shall advance to the final round.

**8.13.2** There shall be no weightage given to the memorial in the Final Round.

**8.14. Winner:** The winner of the final round shall be declared the winner of the competition.

## 9. RESEARCHER TEST

**9.1.** A Researcher Test shall be conducted on February 8, 2025, on campus in offline mode..

**9.2.** The test will comprise of both objective and descriptive questions, with a total of 100 marks. The objective section will carry 75 marks and the descriptive section will carry 25 marks.

**9.3.** The test shall consist of 50 MCQs of 1.5 marks each. Answering an MCQ wrongly shall result in negative marking of 0.5 marks per MCQ.

**9.4.** The time limit for the test is 45 minutes. Only researchers who score at least 36 marks in the objective section will have their descriptive answers evaluated.

**9.5.** Only the researcher designated by the teams in their registration form shall be eligible to write the researcher's test.

## 10. AWARDS

**10.1.** Award Categories:

**10.1.1. Winning Team:** Awarded to the team that is judged to have the highest score in the Final Round

**10.1.2. 1st Runner-Up:** Awarded to the team that is judged to have the second-highest score in the Final Round.

**10.1.3. 2nd Runner-Up:** Awarded to the team that has the higher score amongst the two semi-finalist teams which do not qualify to the Final Round.

**10.1.4. Best Memorial:** Awarded to the team with the highest-scoring written submission (memorial) based on the criteria specified in the rules.

**10.1.5. Best Researcher:** Awarded to the individual who attains the highest score in the researcher test.

**10.1.6. Best Speaker:** Awarded to the individual who presents the most compelling, persuasive, and effective oral arguments over two consecutive rounds.

**10.2. Award Determination:**

**10.2.1** Award decisions are final and made based on the collective judgment of the competition's panel of judges.

**10.2.2** The decisions regarding award recipients are not subject to appeal.

**10.3. Certificate:**

**10.3.1** All the award recipients shall be given a Certificate of Merit.

**10.3.2** All the teams successfully participating in the Oral Rounds post submission of their memorials (both soft copy & hard copy) shall be awarded a Certificate of Participation.

## **11. SCOUTING**

**11.1.** Scouting is the act of attending an oral round (except the final round) by any member/coach of a team in which the concerned team is not competing. Scouting is strictly prohibited. Scouting by any team shall entail instant disqualification.

## **12. ANONYMITY**

**12.1.** Teams shall not reveal their identity in any form, except by means of the Team Code assigned to them.

**12.2.** Teams shall not, in any way, reveal their identity in the Memorial or in the course of the Oral Pleading Session. The Memorial shall not bear the logo, name, etc. of the Team, its members or the Institution/College/University represented by the Team. Additionally, the teams must ensure that the names of the team members, their institutions or any such marking that reasonably reveals the identity of the team **must not appear in the meta-details of the memorial.**

**12.3.** Any material, including the Compendium, books, legal texts, or any other reference material, carried during the Oral Pleading Session, whether presented to the Bench or not shall not reveal the Team's identity and will be devoid of any identification marks/seal of the Team or the Institution/College/University represented. If anything on the material carried during the Oral Pleading Session reveals the Team's identity, the Team shall render the same unrecognizable to the satisfaction of the OC prior to joining the Oral Pleading Session.

**12.4.** Any violation of the anonymity rule may attract a penalty under sub-rule 7.6.8 . The decision of the OC in this regard shall be final and not subject to challenge.

- 12.5.** Any attempts by a Team or a member of the Team to contact, either directly or indirectly, the drafter of the Moot Problem for any reason whatsoever after the release of the Moot Problem and before the Competition closes shall lead to the disqualification of such Team from the Competition.

### **13. ACCOMMODATION, FOOD AND TRANSPORT**

- 13.1. Accommodation:** Participating teams will be provided with accommodation for the duration of the three-day competition. Accommodation will be arranged on a shared basis.
- 13.2. Food:** Meals will be provided to the participating teams for the entirety of the three-day competition.
- 13.3. Transport:** Transportation between the accommodation hotel and the university will be provided on all days of the competition.

### **14. MISCELLANEOUS**

- 14.1. Changes to Rules:** The Organizing Committee (OC) reserves the right to modify any rule as it deems fit at any stage of the competition.
- 14.2. Official Communication:** Any communication issued through official channels and attributed to the Organizing Committee shall be considered formal notification.
- 14.3. Team Responsibility:** Participating teams are advised to remain attentive to and promptly acknowledge any announcements or updates issued by the Organizing Committee.
- 14.4. Interpretation:** In the event of any ambiguity or uncertainty, all interpretations, as well as any waivers, consents, or other decisions related to the administration of the competition, shall be made at the sole discretion of the Organizing Body. Such decisions will be final and binding on all participants
- 14.5. Unfair Means:** In case of any unfair means the discretion of disqualifying the team will lie with the Organizing Body of the moot court competition.
- 14.6. Decision:** The decision of the judges with regard to the outcome of the rounds shall be final
- 14.7. Conflict of Interest:** Teams must disclose any potential conflict of interest and inform the Organizing Committee if they have any association with a judge, such as being an intern or otherwise, at any point during the competition.

### **15. CODE OF CONDUCT**

- 15.1** All participants are expected to maintain the decorum in the Court during the competition and are expected to conduct themselves in a manner befitting the legal profession.
- 15.2** The use of any electronic device, including but not limited to smartwatches, mobile phones, laptops, or any other electronic gadgets, is strictly prohibited during the oral rounds. Non-compliance with this rule may result in penalties, including disqualification.

## 16. CONTACT DETAILS

- **Faculty Advisor:** Dr. Yogesh Pai, Associate Professor (Law), Director, Centre for Innovation, Intellectual Property and Competition (CIIPC), DPIIT-IPR Chair, National Law University Delhi
- **Coordinator:** Ms. Nishtha Sharma, Research and Programme Coordinator, Centre for Innovation, Intellectual Property and Competition (CIIPC), National Law University Delhi
- **Student Conveners:** Ms. Diya Agrawal (+91-9074595987) and Mr. Udai Yashvir Singh (+91-9464439465)
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# Moot Problem

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1. The COVID-19 pandemic and the consequent closure of educational institutions increased the significance of online education in India. Several educational institutions and coaching institutes transitioned to providing online services. Further, existing online education platforms gained more prominence and were able to expand their operations. As of 2023, the Indian online education market is valued at around 35,000/- crore INR and is projected to grow to 80,000/- crore INR by 2028. WizEd Pvt. Ltd. is one such company, with its corporate office in New Delhi, that provides online education through its digital app. It first launched its services in April 2021 and generated a revenue of 2000/- crore INR by the end of the financial year in 2022. WizEd provides bridge and certificate courses for students and professionals who want to expand their knowledge and skills. Their courses are especially appreciated by individuals who want to transition to a different career path and prefer to pursue a skill-focused part-time course rather than a full-fledged academic degree.
2. One of their popular courses is a fashion design preparatory course. It allows individuals to learn the creative skills involved in fashion design. The course is accessible on WizEd's app for free; the public can access study material, practice worksheets, and instructional videos simply by downloading and logging into their OTT app. The course has another component, a certificate, that can only be received after paying a fee of 50,000/- INR and appearing for an online proctored examination. This certificate is recognized by the National Skill Development Corporation (NSDC). The NSDC has a public-private partnership with the Ministry of Skill Development & Entrepreneurship to promote vocational training and skill development. The initiative is a part of the Government of India's endeavour to empower people by enhancing employability, building technical skills, and encouraging innovation.
3. The online classes for the fashion design preparatory course are delivered by experts from the field who work as freelance gig workers. WizEd refers to them as "skilling partners". The study material and practice questions are independently prepared by the skilling partner involved in the particular edition of the course. However, WizEd has a review mechanism on the app where the public can register their objections if they find the study material or questions incorrect or inappropriate.
4. One of the common question formats in the fashion design preparatory course asks the student to design a garment inspired by a reference image. The questions are shared with students in PDF form and are also shared on-screen during video classes on WizEd's OTT app. The reference images are created through an Image Generating AI tool that was developed by WizEd in-house. The AI tool was developed in January 2023 using an AI-enabled coding tool owned by another company, Atla Pvt Ltd. The terms of service of Atla's tool ensure that the ownership of any output generated by their tool, vests in the user. Skill partners are granted access to the Image Generating AI tool on WizEd's app. They create reference images for questions by capturing a photograph through their phone that has

the AI tool installed. The skill partner then chooses a “style” in which the photo should be edited. The AI tool then scans the internet for “style images” that fit within the input style and reimagines the input image based on the style image(s). The final output image can then be used as a part of the study material and practice questions.

- 5.** Trekin Ltd. is a renowned image library company that owns an online repository of stock images. It offers these images to be licensed for use on websites, cards, presentations, etc. Trekin commissions photographers and graphic artists to create images for their image library. The image repository also contains AI-generated images. A collection in Trekin’s image repository, “DeshPrint,” is dedicated to AI-generated images that are based on Indian traditional artistic patterns of artisan communities that manufacture handloom fabrics. The collection was created as part of the corporate social responsibilities undertaken by Trekin through a Memorandum of Understanding between Trekin and an association of artisans. The association shared with Trekin, samples of more than a century-old fabrics with specific traditional motifs. Ms. Chani Kumar, an employee of Trekin, was responsible for digitizing these traditional motifs as images and utilized Trekin’s generative AI tool to create innovative images inspired by the motifs. Trekin states on its website that it helps traditional artisan communities by sharing the profits they obtain from licensing these images based on the traditional handlooms and motifs. In February 2023, Trekin acquired another company, Atla Pvt. Ltd., that owns a library of AI-generated stock images and generative AI tools. Consequently, Trekin’s share in the 44000/- crore stock image market rose to 64 percent.
- 6.** While developing the AI tool, WizEd needed access to a large number of images to train the AI as well as to create a library of style images. WizEd approached Trekin to license the images available in their library for training their AI tool and creating a library of style images. However, WizEd claims that Trekin quoted a prohibitive price to license the images, and the deal fell through. Subsequently, WizEd altered the AI tool to scan the internet for images in the public domain and pick those it deemed suitable to serve as a style image for the input photograph.
- 7.** In May 2024, it came to Trekin’s knowledge that WizEd’s study materials and questions included images with indisputable similarities to iconic images in Trekin’s online repository. When it further investigated the study material, it was revealed that the images exhibit recognizable parts of the watermark applied to images in Trekin’s repository. Finally, Trekin concluded that despite the failure of licensing negotiations, WizEd went on to train its AI tool on Trekin’s image repository. Trekin was alarmed by the unauthorized usage of their copyrighted images and decided to institute a copyright infringement suit against WizEd.
- 8.** Trekin has approached the High Court of Delhi, IP Division, to file a suit under Section 51 of the Copyright Act 1957. Trekin alleges that multiple images in WizEd’s fashion design preparatory course infringe upon its copyright. Trekin argues that WizEd’s usage of its copyrighted images is evidenced by the reproduction of significant parts of Trekin’s watermark. Trekin also argues that by using an AI tool to manipulate images from their “DeshPrint” collection, WizEd mutilated and degraded the integrity of the images. Thus, Trekin alleges that WizEd violated their moral rights in the “DeshPrint” images.

9. Further, it asserts that WizEd not only copied and reproduced its copyrighted images in the fashion design study material but also used the image repository to train the Image Generating AI tool. Trekin's image repository is protected by the technological protection measure "captcha" to avoid automated data mining or web crawling. Thus, Trekin alleges that WizEd would have to circumvent the captcha to access the image repository.
10. WizEd argues that their AI tool filters out copyrighted images and only utilizes public domain, Creative Commons licensed, or AI-generated images. It uses AI-generated images because it believes that AI-generated images are not copyrightable. Further, after receiving the legal notice informing it of the lawsuit, it checked the copyright registration of the original works that were allegedly copied. WizEd found that an AI model was named as a coauthor in the copyright registration certificate. Consequently, it alleges that the Registrar of Copyrights wrongfully registered the copyright, as only humans are allowed to be authors of copyrighted works. Even if AI-generated images can be copyrighted works with the AI as a co-author, WizEd states that only humans can possess moral rights. Thus, WizEd argues that Trekin cannot enforce its moral rights in the "DeshPrint" images as their co-author AI cannot possess moral rights at all.
11. WizEd claims that its use of Trekin's images in the study material is for educational purposes and thus does not amount to copyright infringement. Furthermore, WizEd argues that it should be considered a broadcaster over the Internet since it delivers classes over an OTT app. Thus, it has approached the Delhi High Court for a statutory license under Section 31D of the Copyright Act, 1957 to utilize images in Trekin's repository. The Delhi High Court has declared that WizEd's application for a statutory license and Trekin's copyright infringement suit will be heard together.
12. This lawsuit between Trekin and WizEd generated a lot of debate on whether the Indian copyright framework is prepared to deal with issues around AI-generated works. An NGO, Open Education Project, tagged the Indian Copyright Office on its social media profile, asking it to provide information if there are any proposals to amend the Indian Copyright Act and Rules to align it with the needs of the AI era. The post obtained numerous likes, shares, and comments, and the Copyright Office was compelled to release a statement. The Copyright Office stated that the official position of the Government of India was already available on the Press Information Bureau website and did not issue any further statement in this regard.<sup>1</sup>

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<sup>1</sup> Annexure 1 attached: <https://pib.gov.in/PressReleasePage.aspx?PRID=2004715>



## **Vidhi Pragati: National IP Moot Court Competition**

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