



12TH RAJ ANAND INTELLECTUAL PROPERTY MOOT COURT COMPETITION, 2011
IN ASSOCIATION WITH SYMBIOSIS LAW SCHOOL, NOIDA

Date: 27th & 28th August 2011
Place: Jacaranda Hall, India Habitat Centre

RULES AND REGULATIONS

I. SUBJECT MATTER AND DATE:

The moot is purely an Intellectual Property oriented Moot Court Competition to be held on **27th & 28th August 2011** respectively.

II. LANGUAGE

The language of the competition shall be English.

III. ELIGIBILITY:

The competition is open for students who belong to teams that have been invited by the organisers.

The participants should be currently pursuing their Bachelors' degree in law i.e. 3- years LL.B. Program or the 5-year B.A., LL.B./ B.B.A., LL.B/ BSc. L.L.B Programme.

IV. TEAM COMPOSITION:

The teams should consist of two Oralists and one Researcher and this number cannot be modified under any circumstances.

The Researcher cannot be allowed to speak unless a question is specifically posed to him/her by the Presiding Bench.

The team composition must be communicated to the organizers latest by **11:59 p.m. on August 1, 2011.**



V. MEMORIAL:

The following requirements for memorials must be strictly followed. Non-conformities will be penalized:

- The teams must prepare separate memorials on behalf of the Plaintiff and on behalf of the Defendants.
- The teams must e-mail the final memorials for both sides to the organizers at email ids specified on the last page of the present document by **11.59 p.m. on 12th August 2011 in MS WORD only.**
- 10 copies of the memorials **for each side** must reach the organizers by the **16th of August 2011, latest by 5.00 p.m.**
- Once the memorials are submitted, the teams will not be allowed to make any amendments to the same.
- The memorials must be
 - On A4 Size Paper
 - Times New Roman Font, Size 12
 - 1.5 line spacing
 - A margin measuring one inch on all sides of each page.
 - Page numbering should be at the bottom centre of each page.
- The memorials must be spiral bound.
- The memorials **must not** mention the name of your institution or identify the participating college or student in any manner. Teams are advised to only mention the team code provided on the top right hand corner of the cover page.



- The memorial must necessarily contain (and be restricted to) the following sections:

Table Of Contents	One Page
Index Of Authorities	Not exceeding six pages
Statement Of Jurisdiction	One Page
Statement Of Facts	One Page
Statement Of Issues	One Page
Summary Of Arguments	One Page
Arguments Advanced	1500 words (excluding footnotes)
Prayer	One Page

- No additional facts may be incorporated or relied upon other than those stated in the Compromis.
- For the memorials, the teams are advised to use The Harvard Blue Book Style of footnoting as far as practicable. In any case, footnoting styles must be consistent throughout the memorial.
- Footnotes must be restricted to providing bare citations, and must not be accompanied by any form of description or explanation of the authority relied upon.
- Footnotes must be:
 - Times New Roman Font, Size 10
 - 1.0 line spacing
- The Cover page of the Memorials must be **Blue** for the Plaintiff and **Red** for Defendant.
- The cover page of the memorial must state the following:
 - The team code on the top right hand corner of the Cover Page



- The name and place of the Court
- The cause title
- Memorial Filed on Behalf of _____
- Counsel appearing on Behalf of _____

B. SCORING OF WRITTEN SUBMISSIONS (MEMORIALS):

The criteria for marking the memorials are:

- a) Application and appreciation of facts (10 points)
- b) Identification and presentation of issues (30 points)
- c) Application of legal principles (25 points)
- d) Use of authorities and precedents (10 points)
- e) Logical structuring, Grammar & Style (15 points)
- f) Consistent footnoting & formatting (10 points)

In relation to the specific Intellectual Property issues involved in this years' moot problem, the weightage of points in the analysis of the issues arising has been broadly divided as follows:

- 70% for liability of Cloud Computing Service Provider
- 30% for extent of protection under Trade Secrets

VI. ORAL ROUNDS:

A. Format of Rounds

Preliminary Round

- There will be two preliminary rounds of arguments where each team will be given the opportunity to argue both sides of the proposition, representing each side once.
- In the Preliminary Round, each team will get a total of 30 minutes to present their case.



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- In the Preliminary Round, the division of time is at the discretion of the team members, subject to a maximum of 17 minutes for one Oralist.
- In the Preliminary Round, the division of time must be communicated by the Researcher of each competing team to the Time Keeper/ Bailiff prior to the commencement of each round. In case no such communication is made, the Oralists will have 15 minutes each.
- In addition, each team will be given 5 minutes for Rebuttal and Sur-rebuttal (optional).
- The oral arguments should be confined to the issues presented in the memorials.
- The researcher may sit with the Oralists at the time of the orals.
- No team will face each other more than once in the preliminary rounds.
- Each team will face a different bench in their second round of arguments.
- The Preliminary rounds will be held on 27th August 2011, in two sessions (Pre- Lunch & Post- Lunch).
- The results of the Preliminary Rounds will be announced on the evening of 27 August 2011.
- Teams will progress to the next round (Semi-Finals) depending on the most number of wins. In the event of a tie, the team with the most points will qualify for the finals to be held on 28th August, 2011. In case of a tie even in the number of points, the team with highest Oralist score will progress.



Semi-Final Round (Knock Out)

- The top four teams will proceed to semi-finals on 28th August, 2011.
 - Team 1 will face Team 3.
 - Team 2 will face Team 4.

- The teams will pick lots on the evening of day 1 or the morning of day 2 in order to decide which side they are arguing for. The timing for the said lots will be announced soon after the declaration of the results of the Preliminary Rounds.

- In the Semi-Final Round, each team will get a total of 45 minutes to present their case.

- In the Semi-Final Round, the division of time is at the discretion of the team members, subject to a maximum of 27 minutes per Oralist.

- In the Semi-Final Round, the division of time must be communicated by the Researcher of each competing team to the Time Keeper/ Bailiff prior to the commencement of each round. In case no such communication is made, the Oralists will have 22 ½ minutes each.

- In addition, each team will be given 5 minutes for Rebuttal and Sur-rebuttal (optional).

- The oral arguments should be confined to the issues presented in the memorials.

- The researcher may sit with the Oralists at the time of the orals.

Final Round



- The teams that progress will pick lots in order to decide which side they are arguing for. The timing for the said lots will be announced soon after the declaration of the results of the Semi-Final Rounds.
- In the Final Round, each team will get a total of 45 minutes to present their case.
- In the Final Round, the division of time is at the discretion of the team members, subject to a maximum of 27 minutes per Oralist.
- In the Final Round, the division of time must be communicated by the Researcher of each competing team to the Time Keeper/ Bailiff prior to the commencement of each round. In case no such communication is made, the Oralists will have 22 ½ minutes each.
- In addition, each team will be given 5 minutes for Rebuttal and Sur-rebuttal (optional).
- The oral arguments should be confined to the issues presented in the memorials.
- The researcher may sit with the Oralists at the time of the orals.

B. Scoring of Oral Rounds

The team score for each round will be **(Average Score of Oralist 1) + (Average score of Oralist 2) + (Halved Memorial Score of team for the side represented)**.

Each oralist will be marked by each Judge in each round on the following criteria:

- Knowledge of law (20)
- Application of Law to Facts (20)



- Ingenuity and ability to answer to questions (20)
- Style, Poise, Courtesy and Demeanour (20)
- Time Management (10)
- Organization (10)

C. Exchange Of Memorials

- Prior to each round, the organizers will arrange for the exchange of memorials.
- The teams are prohibited from making any marks on the exchanged memorials.
- The teams are prohibited from making any copies of the memorials which have been thus exchanged.
- The teams are required to return the exchanged memorials to the Court Officers of the respective round.

VII. PENALTIES

Penalties in relation to the Written Submissions shall be communicated to the teams prior to the commencement of the Preliminary Rounds on Day 1.

Incorrect/Inconsistent Font Size	2 points (one time penalty)
Improper Line Spacing	
Failure to include all Sections in the Memorial as prescribed	
Incorrect Paper Size	
Exceeding Word Count	Between 1500-1600: 2 points (with 1 point deducted for every additional 100 words thereafter, subject to a maximum of 8 points as penalty)



Failure to include necessary information on the cover of the memorial	2 points
Any form of identification of the institution or members of the participating team other than as prescribed	Can incur disqualification or a maximum of 20 points subject to the discretion of the organizers
Delayed submission of soft copy of the memorial	3 points
Delayed receipt of the hard copies of the memorials	2 points
Delay in arriving for the oral rounds	3 points (for each delayed appearance at each round)
Any attempt to contact the organizers or the Judges prior to the Moot Court Competition to illicit information or seek help	Can incur disqualification or a maximum of 20 points subject to the discretion of the organizers
Scouting: Other than the rounds in which the team is participating, no member of any team will be allowed to observe the Oral Rounds or read the Memorial of any other team: <ul style="list-style-type: none">▪ On the first day (of Preliminary Rounds)▪ On the second day, in the event his/her team has advanced to the Semi-Final Round.	Can incur disqualification or a maximum of 20 points subject to the discretion of the organizers

VII. AWARDS:

- a. Best Oralist Award- a cash prize of Rs.5,500/- only.
- b. Best Memorial Award- a cash prize of Rs.5,500/- only.
- c. Best Team Award is a rolling Trophy and a cash prize of Rs.25,000/- only.
- d. Second Best Team will be given a cash prize of Rs.11,000/- only.

IX. The organizers reserve the copyright in any/all material submitted by the participants in the 12th Annual Raj Anand Intellectual Property Moot Court Competition 2011.



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X. THE DECISION OF THE JUDGES AND ORGANISERS IS FINAL.

XI. ANY CLARIFICATIONS FOR THE COMPETITION TO BE SOUGHT AT:

- a. **E-mail** : raunaq@anandandanand.com
aditya@anandandanand.com
- b. **Fax No.** : 91- 120- 42 43 056/058
- c. **Phone No.** : 91- 120- 4059300
- d. **Postal Address** : B-41, Nizamuddin East, New Delhi-110 013