

CNLU MEDIATION PROBLEM

SEMI FINALS

THREE EYED RAVEN PVT. LTD. V. DURMSTRANG INSTITUTE

- 1 **A.** Durmstrang Institute is the leading institute in the country known for its Applied Computer
2 Science and Physics department and research centres. Founded in 1800s, the Durmstrang
3 Institute has produced several Nobel laureates, research scientists and revolutionary
4 entrepreneurs.
- 5 **B.** Samwell Tarly is a child prodigy in the field of Applied Computer Sciences. At the age of 7, he
6 developed software that brought a revolution in artificial intelligence. Later on, he developed
7 several other software and programmes and became a pioneer in the field of Artificial
8 Intelligence. Inspired by “*Jarvis*” from the Hollywood movie “Iron-Man”, his post-doctoral
9 thesis was based upon developing a similar kind of Artificial Intelligence programme. However,
10 considering the complex nature of software and the kind of funds required, Samwell Tarly was
11 not able to provide a finished version of it during his post-doctoral thesis although he had
12 already named the software as “*Three-Eye*”.
- 13 **C.** In 2016, Samwell Tarly joined the Durmstrang Institute as the Head of Department for
14 Artificial Intelligence. During his lectures and research sessions, he had a habit of boasting
15 about his doctoral research on “*Three-eye*” which eventually used to develop curiosity among the
16 students and then the entire session spent on discussing problems and possibilities of
17 developing “*Three-Eye*”.
- 18 **D.** In 2018, Durmstrang Institute got its new Vice Chancellor, Mr Omar Devon Little. Mr Little
19 was not very happy with the individualist research approach being practiced in the University.
20 He emphasised upon the fact that despite the University being reputed as a mass producer of
21 Nobel laureates and research scientists, the number of patents and copyrights belonging to the
22 University was not encouraging enough. As a result, Mr Little started working on developing an
23 IPR policy for the students and the staff of the University.
- 24 **E.** In 2019, the IPR Policy for the Durmstrang Institute was brought into effect. As per the policy,
25 any IPR developed within the institute by either the staff or the student shall be notified to the
26 Institute and the Institute shall have the right to claim ownership over such IPR. However, it
27 was made clear in the policy that the Institute will not claim rights over IPR developed prior to
28 the enactment of the policy.
- 29 **F.** Around the same time, Samwell Tarly had finished developing “*Three-eye*”. Soon the news
30 regarding Samwell Tarly developing a game changing technology broke in international media
31 and renowned businessman, Bobby Axelrod, showed his interest in commercially exploiting
32 “*Three – eye*” along with Samwell Tarly. A new company, “The Three Eyed Raven Pvt. Ltd.” was
33 formed wherein Samwell Tarly and Bobby Axelrod had 30:70 shareholding.
- 34 **G.** Soon thereafter, The Three Eyed Raven Pvt. Ltd. applied for copyright on the programming
35 codes of “*Three – Eye*” but as a surprise, Durmstrang Institute raised objections over the
36 ownership of “*Three – Eye*”. The Three Eyed Raven Pvt. Ltd. wanted the matter to be taken to
37 court but was then required to exhaust the pre-institution mediation clause under Section 12A
38 of the Commercial Courts Act, 2015. The mediation was referred to a body constituted under
39 the Legal Services Authority Act 1987 wherein the parties have agreed to be represented by
40 their respective counsels.