



# **Justice R.C. Lahoti Memorial Moot Court Competition**

Organised by  
**Manav Rachna University**

## ABOUT MREI

Manav Rachna Educational Institutions (MREI) are the brainchild of Dr. O.P. Bhalla, an educationist, and a philanthropist. Founded in 1997, MREI is a visible symbol of knowledge & experience providing high-quality education in various fields including Engineering, Management, Psychology, Economics, Computer Applications, Humanities, Education, Law, Visual Arts, Interior Design, Architecture, Commerce, Business Studies, Geology and many more.

There are four Institutions at MREI - Manav Rachna University (MRU), Manav Rachna Dental College (MRDC), Manav Rachna International Institute of Research & Studies (MRIIRS), and Manav Rachna International Schools and Kunsakpsskolan Schools.

## ABOUT MRU

### Vision

*“To educate students in frontier areas of knowledge enabling them to take up challenges as ethical and responsible global citizens.”*

Manav Rachna University (MRU) is a leading State Private University (established by Haryana State Legislature Act No 26 of 2014 & under section 2(f) of UGC Act 1956), offering globally relevant education. The University has evolved from Manav Rachna College of Engineering (MRCE), which was established in the year 2004, a NAAC accredited ‘A’ Grade institution. Manav Rachna University is among the Top 2 Emerging Engineering Institutions of India and has been ranked the No. 1 Engineering Institution in India for Research Capability & Placements in the Times Engineering Survey 2021. The accreditations/rankings are testimonial to the trust of accrediting bodies in the quality of education being offered, a well-established teaching and learning process guided by the global best practices and a culture of academic excellence promoting research, innovation & entrepreneurship.

## ABOUT THE SCHOOL OF LAW

### Vision

*“To empower the law students to shape just and equitable world through academic excellence, advocacy and integrity.”*

With emergence of cutting-edge technologies, social tools, and interconnected communities, the study of law has transgressed its traditional spheres of influence and assumed importance in a multitude of domains. At the School of Law, Manav Rachna University (MRU), we understand this transdisciplinary application of legal knowledge by offering practice-driven and project based legal education.

While the study of law is intellectually stimulating, personally fulfilling, and financially rewarding, we understand that a well-trained lawyer has to appreciate the issues involved comprehensively and may have to dwell into scientific studies and other disciplines of social sciences. With this understanding, our faculty aim at providing an experiential learning platform to students with a focus on clinical legal education, case study methodologies, academia-industry-legal profession integration, and holistic professional development.

The School of Law is a founder member of the LSAC Global Law Alliance, a group of leading universities that provide the highest quality of legal education to India’s future lawyers. We offer 5-year Integrated Honors Law Programs in two streams, B.A. LL.B. (Hons.), B.B.A. LL.B. (Hons.), LL.B., LL.M. (1 year/2 year) and Ph.D. Our students get numerous opportunities to acquire legal and life skills. With an emphasis on multidisciplinary learning, law students at MRU are provided with an environment where they are exposed to disciplines beyond law. Besides strictly complying with the rules of legal education prescribed by the Bar Council of India (BCI), the School of Law also offers supplementary subjects like environmental studies, foreign languages and optional seminar courses.

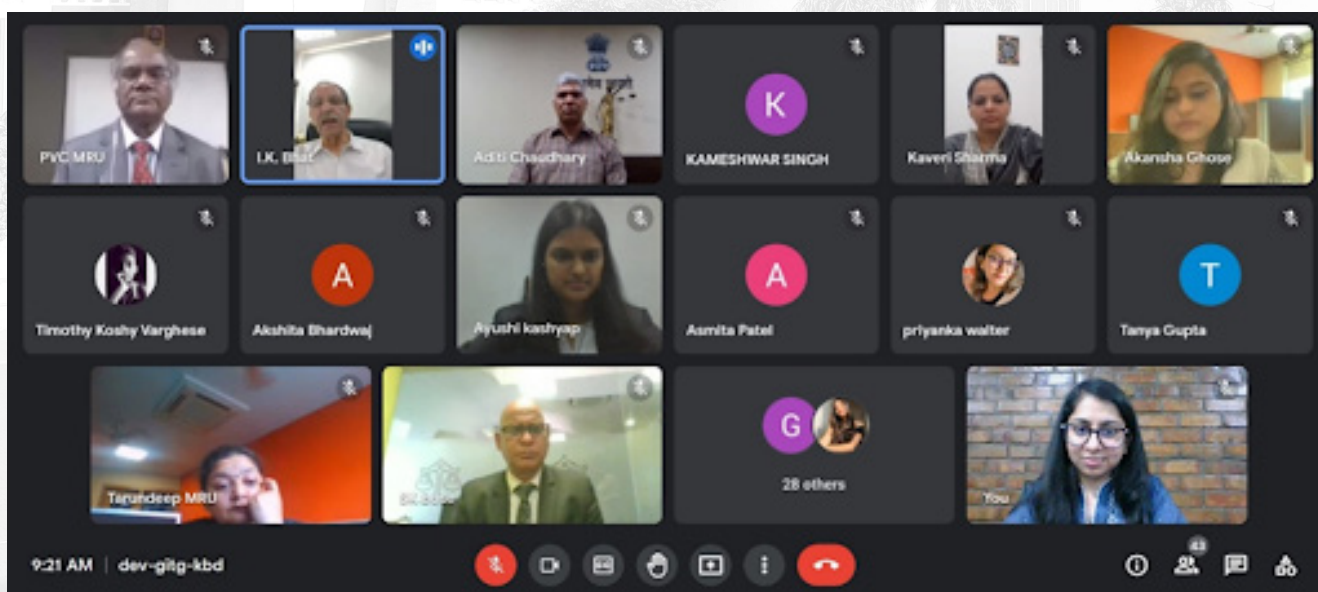
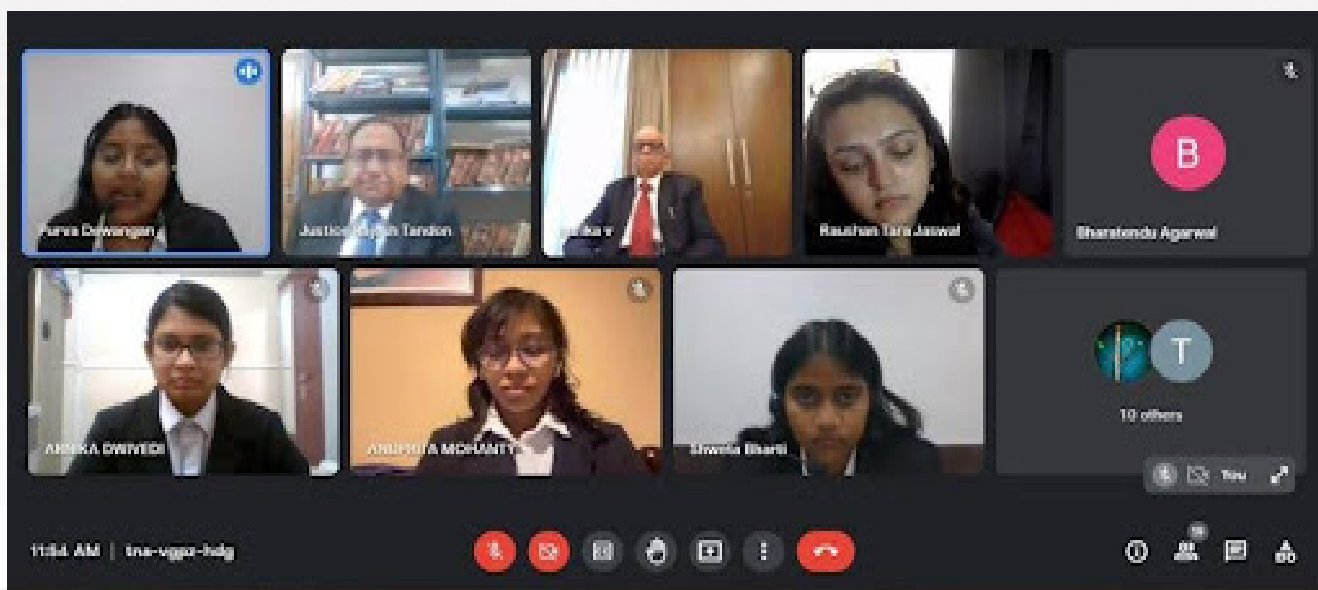
The teaching pedagogy employed at MRU stresses upon project based practical training and case-law discussions, which makes students understand the basic philosophy and rationale behind the law. Tutorials, moot court exercises, workshops, conferences and seminars complement classroom learning. Mandatory internships provide students with an insight into what it is like to practice law in its different forms and make an informed choice on after-university legal careers. Students also have the option to avail, student-exchange programs in international universities having collaborations with MRU.

## LAW ADVISORY BOARD MEMBERS

S.NO.	NAME	DESIGNATION
1.	(Late) Hon'ble Justice Shri RC Lahoti	Founding Chairperson
2.	Hon'ble Justice Shri UU Lalit	Chairperson
3.	Hon'ble Justice Mrs. Gita Mittal	Member
4.	Hon'ble Mr. Justice K.K. Lahoti	Member
5.	Hon'ble Mr. Justice Kailash Gambhir	Member
6.	Hon'ble Mr. Justice Rajive Bhalla	Member
7.	Mr. Atmaram Nadkarni	Member
8.	Mr. P. K. Malhotra	Member
9.	Mr. Parag Tripathi	Member
10.	Mr. Ravindra Shrivastava	Member
11.	Mr. Vinay Bhasin	Member
12.	Mr. Sanjeev Sharma	Member
13.	Mr. Arvind Datar	Member
14.	Mr. Ashok Gupta	Member
15.	Mr. Sudhir Sharma	Member
16.	Mr. Shashank Garg	Convenor
17.	Mr. Divyakant Lahoti	Special Invitee
18.	Mr. Pawan Duggal	Special Invitee
19.	Prof. Sachidanand Shrivastava	Special Invitee

## INAUGURAL EDITION

School of Law's inaugural National Moot Court Competition was organized with great success last year. It saw participation from 12 teams across law schools in India and helped stimulate the study of emerging issues in Law and Technology. We hope to build on the learnings from the first edition to host an even more impactful competition this year.



# COMPETITION SCHEDULE & REGISTRATION INFORMATION & PRIZES

## Schedule

Last date for submission of clarifications	31 December 2023	Sunday
Release of clarifications	14 January 2024	Sunday
Last date for submission of registration fee	28 January 2024	Sunday
Last date for submission of soft copies of memorials in PDF Format	28 January 2024	Sunday
Last date for submission of hard copies of memorials	11 February 2024	Sunday
Dates for the competition	29 February – 02 March 2024	Thursday - Saturday

## Registration

Registration Fee per team – 1500 INR per team  
Registration Form – <https://forms.gle/SWxfPmvp1HvGr12y6>  
Each student must attach their individual picture.  
Each team must attach an authorization / permission letter containing the seal/ stamp of the college.  
Payment Information -  
“Registration cost is exclusive of accommodation.”

Account Name	Manav Rachna University Operations
Account Number	50200050331373
Bank Name	HDFC Bank Limited
IFSC Code	HDFC0002549
A/C Branch	Palam Vihar Gurgaon
Address	H Block, Opposite Celebrity Homes, Palam Vihar, Gurgaon
City	Gurgaon 122017
MICR	110240247

## Prizes

- 40,000 INR - Best Team
- 20,000 INR - Runners Up Team
- 10,000 INR - Best Speaker
- 5,000 INR - Best Memorial Petitioner
- 5,000 INR - Best Memorial Respondent

## Knowledge Partner



## MOOT PROBLEM

1. Raghav Singh is a talented freelance digital artist who has established himself as a prominent creative professional in the digital art realm. He specializes in producing captivating digital artworks using his impressive skills with state-of-the-art graphic design software. His portfolio boasts a wide range of digital art forms, including stunning illustrations, vibrant paintings, animations, and multimedia designs.
2. Raghav's career as a freelance digital artist has allowed him to cultivate a diverse clientele over the years, ranging from publishers seeking covers for their books to businesses in need of eye-catching digital marketing materials. Raghav is known for his ability to understand his clients' visions and transform them into striking digital masterpieces.
3. However, mid-2022 witnessed the introduction of a groundbreaking AI-powered prompt-based software known as "CreatiPrompt." Developed by an Indian tech company, ArtiSynth Innovations, CreatiPrompt offered an unprecedented creative edge to artists and designers. This software allowed users to input prompts or descriptions, and it would generate intricate and imaginative digital artworks. CreatiPrompt quickly gained immense popularity, including in India. Available on a web portal, the most striking thing about the software was that it was completely free of cost to use, even by professionals.
4. CreatiPrompt, was powered by an advanced neural network model known as "CreatiAI." This neural network has been meticulously trained on an extensive dataset of diverse visual art forms, encompassing everything from traditional paintings to digital illustrations. To continually refine its creative abilities, CreatiAI employs a sophisticated data scraping mechanism. It systematically crawls and analyzes vast online repositories of artwork, art history, and visual culture, and really just all images that it can access on the internet. This allows CreatiAI to stay updated with contemporary trends and historical artistic influences and produce images relevant to the prompt.
5. For Raghav, a seasoned freelance digital artist, the arrival of CreatiPrompt initially posed a significant threat to his work. He had spent years honing his craft, building a reputation for his unique artistic vision and personalized touch in his digital artworks. However, as more clients began to turn to CreatiPrompt for its speed and versatility, Raghav found himself facing a decline in project requests. It became clear that he needed to adapt to this new landscape to remain competitive and relevant in the industry.
6. While sceptical at first, Raghav decided to embrace the AI-powered tool as a complement to his own artistic abilities. He understood that while the software could create remarkable visuals, it lacked the nuance and emotional depth that his personal touch brought to his work. Raghav started incorporating CreatiPrompt into his creative process, using it to generate initial concepts and designs. He would then infuse his distinctive style, emotions, and artistic sensibilities into these generated pieces. This synergy of human creativity and AI-driven efficiency allowed Raghav to produce even more captivating and unique artworks.
7. Once he had started doing this, he started producing high quality work at high volumes and his earnings saw a fresh rise. He also started seeing new clientele. One such new client was an individual graphic novelist by the name of Ujjwala Rahane. Ujjwala contacted Raghav with a request for a very large number of images each based on small chunks of text to be accompanied with those images structured around the narrative of the story that Ujjwala wished to tell. While Ujjwala, being a struggling artist could not pay a large sum of money as remuneration for Raghav's work, she and Raghav reached an agreement over a WhatsApp conversation wherein Raghav would be credited as the Co-creator of the graphic novels and Raghav and Ujjwala would share the earnings from the sale of the graphic novel 50% each.
8. Soon after the publication of the graphic novels, the Chronicles of Astria, they became a huge success. Initially introduced through a limited independent release, it gained traction as early adopters and influencers praised its immersive world-building and intricate character development. LoreVerseVoyager, a Youtuber with more than 1 Million subscribers, described the book as "an unprecedented achievement in Indian graphic novel scene". Readers on the internet described it as "seamlessly blending compelling storytelling with visually stunning artwork".

9. A pivotal moment came when a prominent Bollywood actor tweeted about being an avid reader of “Chronicles of Astria,” instantly sparking widespread interest across social media. Soon after, major publishing houses recognized its potential and Ujjwala and Raghav, for a full-scale release. The graphic novel’s launch event, attended by top celebrities, garnered extensive media coverage, and Ujjwala and Raghav engaged with fans through live Q&A sessions on social media. Fueled by word-of-mouth recommendations and fan-generated fan art, “Chronicles of Astria” developed a devoted following, and fan clubs sprouted across various online platforms. As fan theories and discussions proliferated, the leading weekly magazine Aaj described the book as “a cultural phenomenon, with a dedicated fanbase eagerly awaiting each new instalment”.
10. Fantasy Visuals Co. (FVC) is a prominent global visual content creator and a leading source for visual content worldwide. FVC operates websites dedicated to licensing its works, including, among others, [www.fantasyvisuals.com](http://www.fantasyvisuals.com) and [www.imageryvault.com](http://www.imageryvault.com). Its extensive collection, currently housing hundreds of millions of visual assets, is celebrated globally for its unparalleled depth, breadth, and quality. This visual content is housed within a robust database that also contains detailed, original textual captions associated with individual photographs, as well as rich, image-specific metadata.
11. Visitors to FVC’s websites can explore and search its collection before purchasing a license for specific content. For instance, individuals seeking an image related to a wedding might conduct a search for ‘couple exchanging rings’. Among the search results, they may find an image available for licensing, accompanied by a title and a photo credit attribute that reads ‘(Photo by Joe Readle/FVC)’. All images on the two websites of FVC contained a watermark of the text “Fantasy Visuals”.
12. FVC collaborates with over 500,000 contributors (including 80,000 exclusives to FVC), maintains partnerships with more than 300 premium content providers, employs over 115 in-house staff photographers, videographers, and content specialists, all of whom contribute to the creation of content. Its extensive and unique visual archive covers a diverse range of subject matter. Contributors choose to collaborate with FVC to benefit from its robust platform, global distribution network, and the royalty income it generates for them. FVC’s customers appreciate its user-friendly platform, comprehensive content library, a variety of licensing options and services, and the assurance that the images they obtain from FVC are free from third-party copyright infringements.
13. After the success of *Chronicles of Astria*, ArtiSynth Innovations (ASI) brought a civil suit against Raghav and Ujjwala for copyright infringement. ASI allege that the copyright in the images created by Raghav that form part of the *Chronicles of Astria* is owned by ASI. In support of their claim, ASI cited the terms of use of CreatiPrompt, which reads:

## COPYRIGHT AND LICENSING

*ArtiSynth Innovations retains full copyright ownership of all artworks generated directly by CreatiPrompt. However, it grants users a limited license to use, display, and modify the AI-generated artworks for personal use. This license does not permit users to claim copyright over the AI-generated content. ArtiSynth Innovations reserves the right to showcase, promote, and analyze and in any other manner, monetize the creative output generated by its software.”*

14. In response, Raghav and Ujjwala argued that the said term was infructuous, since Raghav was the “the person who causes the work to be created” within the meaning of Section 2(d)(vi) of the Copyright Act, 1957, and therefore, was the author and the first owner of work, as the term neither amounted to change in first ownership under Section 17, not assignment of ownership under section 18 of the Copyright Act, 1957.
15. The High Court decided the matter in favour of Raghav and Ujjwala. ASI has appealed.
16. In a separate civil suit, FVC brought an action against ASI and Raghav and Ujjwala. It alleged that in order to train its neural networks, ASI had copied several million images from FVC’s proprietary image collection, along with the associated captions and metadata, without permission from or compensation to FVC. It further alleged that ASI’s actions were in violation of FVC’s Terms of use, which prohibited “(i) downloading, copying or re-transmitting any or all of the website or its contents without a license; and (ii) using any data mining, robots or similar data gathering or extraction methods.”
17. Further, it claimed that Raghav’s artwork in *Chronicles of Astria* too amounted to infringement, as the artwork was an ‘adaptation’ of copyrighted material owned by FVC. By performing an action (adaptation) the exclusive right to perform which was with FVC under section 14 of the Copyright Act, their work too amounted to infringement of copyright.
18. During proceedings, the High Court directed Raghav to provide the images obtained from his use of CreatiPrompt in the original form, before they were modified by Raghav. The images provided by Raghav were found to have a distorted version of the FVC’s watermark “Fantasy Visuals”.

19. ASI argued that training of neural networks amounted to a transformative purpose, and therefore, was fair use of the copyrighted material. Thus, it did not amount to infringement. Raghav argued that the work produced by Raghav did not amount to “adaptation” under section 2(a) of the Copyright Act. They also argued fair use as a defence. The High Court agreed with both the defendants, and FVC has appealed.
20. The Supreme Court of Timbactoo has agreed to combine the two appeals and hear the matter. It has decided to limit the appeal to following questions:
- i. Whether copyright subsist in the works created by Raghav using CreatiPrompt and in the Chronicles of Astria?
  - ii. Whether Chronicles of Astria is an adaptation of, and thus infringing of, FVC’s copyrighted material, and is it considered fair use?
  - iii. Whether training of CreatiPrompt by ASI amount to infringement and is it excluded as fair use?
  - iv. As between ASI and Raghav, who is the author of images used in Chronicles of Astria?

*NOTE – The laws of Timbactoo are in pari materia to the law in India. Participants cannot frame additional issues.*





# RULES

## Teams

Each team shall consist of at most three participants – two speakers and one researcher – enrolled as full-time LL.B. [both 3-year and 5-year programme] students in the law school they represent at the time of the Competition. No person enrolled in a postgraduate law programme may act as a team member.

A team must consist of at least two participants in which case both the members shall be designated as 'Speakers'.

## Attire

Participants should be appropriately attired for the rounds of the competition. The dress code will be black and white Western formals for Gentlemen and Western or Indian formals for Ladies. Robes are not permitted. The teams should make their own provisions to comply with the dress code of the competition.

## Marking criteria

Each speaker can be awarded a maximum of one hundred (100) points per oral pleading based on, but not limited to, the following criteria:

- i. Correct legal analysis and its application to facts.
- ii. Clarity, logic, and originality of argument
- iii. Overall presentation
- iv. Ability to communicate with judges: persuasiveness and fluency.
- v. Rebuttal or sur-rebuttal: ability to respond to opposing side's arguments.

Memorials can be awarded a maximum of one hundred (100) points based on, but not limited to, the following criteria:

- i. Application and Appreciation of Facts
- ii. Identification, Structuring and Presentation of Issues
- iii. Application of Legal Principles, Authorities and Precedents
- iv. Ingenuity and Logical Reasoning Grammar, Style and Clarity

## Written Submissions

1. Each team must submit the Memorial for the Petitioner and the Respondent in Word format & PDF Format as per the schedule indicated above. The file name should be the Team Code followed by letters P or R (E.g., 0000P for petitioner, 0000R for respondent).
2. The Memorials should be typed on '.doc' documents compatible with Microsoft Word 2003 (or higher) only.
3. All memorials submitted must conform to the following requirements and a team will attract negative marking for failure to keep within the limitations as described below:
  - a. The font of the body of the Memorial must be Times New Roman, size 12, with 1.5 line spacing. Footnotes shall be in 'Times New Roman' with Font Size 10 and 1.0 spacing.
  - b. Each page must have a margin of at least an inch on all sides.
  - c. The Memorial shall at least consist of the following parts:
    - i. Cover Page – [coloured blue for Petitioner, and red for Respondent]
    - ii. Table of abbreviations
    - iii. Index of authorities - The index of authorities must contain references to all page numbers where authorities are used or cited in the 'Arguments' section of the Memorial. Only authorities used or cited in support of arguments made in the 'Arguments' section of the Memorial may be included in the list of sources.

- iv. Statement of jurisdiction
- v. Statement of facts
- vi. Issues presented - They must be presented as neutral questions, i.e. teams should not state their position on the questions raised in this section. The issues must be precise, relevant to the facts and each issue should ideally not be more than a sentence.
- vii. Summary of arguments
- viii. Arguments advanced/ Pleadings
- ix. Prayer

4. The Cover Page MUST contain:

- a. Team Code in the upper right-hand corner
- b. The name of the Case
- c. The party for which the Written Submission has been prepared.
- d. Name of the forum resolving the dispute
- e. The year of the Competition
- f. Page number should not be mentioned on cover page

5. The Memorials shall use The Bluebook: A Uniform System of Citation (20th Edition), for formatting of all cited authorities. Endnotes are not permitted.

6. Memorial anonymity: The names of the team members, coach, institution or country shall not be on any portion of the Memorial.

7. Each team must adhere to the following limits:

- a. The Substantive section should not exceed 12,000 words
- b. The Statement of Facts shall not be more than 1200 words including headings
- c. The Summary of Arguments shall not be more than 1200 words including headings



**Email ID- [events.law@mru.edu.in](mailto:events.law@mru.edu.in)**

## Patrons

- i. Dr. Prashant Bhalla, Chancellor, Manav Rachna University
- ii. Dr. Amit Bhalla, Vice-president, Manav Rachna University
- iii. Prof. (Dr.) I.K. Bhat, Vice-Chancellor, Manav Rachna University
- iv. Prof. (Dr.) Sangita Banga, Pro Vice-Chancellor, Manav Rachna University
- v. Prof. (Dr.) Kanu Priya, Dean, School of Law, Manav Rachna University

## Faculty Coordinators

- i. Ms. Chaitali Wadhwa, Assistant Professor
- ii. Mr Bharatendu Agarwal, Assistant Professor

## Student Coordinators

- i. Bhavya, Convenor - 9643103618
- ii. Vanita, Co-Convenor - 7290840947

## Supporting Team

- |                          |                            |
|--------------------------|----------------------------|
| i. Bhavya                | xi. Ishika Goel            |
| ii. Vanita               | xii. Srishti Bangwal       |
| iii. Ritik Arora         | xiii. Anushka              |
| iv. Amisha Chauhan       | xiv. Saima Shrotriya       |
| v. Pratham Singh Chauhan | xv. Rishabh Kumar Ambashta |
| vi. Prisha               | xvi. Akshat Rawal          |
| vii. Sakshi Saini        | xvii. Muskan Gupta         |
| viii. Sania              | xviii. Shivam Bansal       |
| ix. Yeshika Sharma       | xix. Vinay Ashra           |
| x. Arshdeep              |                            |

