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*Adv. Pradip Kumar Roy*  
High Court, Calcutta

4th ADAMAS

# NATIONAL MOOT COURT COMPETITION - 2024 (ANMCC)

## MOOT PROPOSITION



21st - 23rd MARCH, 2024

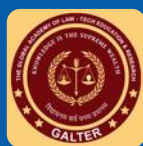


PRIZE POOL WORTH **1,00,000 (INR)** &  
1 MONTH SUBSCRIPTION OF SCC  
ONLINE **(FOR ALL PARTICIPANTS)**



SCAN TO REGISTER

ASSOCIATE PARTNERS



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**FACTUAL MATRIX<sup>1</sup>**

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1. The nation of Indusland reigns dominantly in the Southern part of Asia which has its unique stand in the field of culture and diversity. It is one of the fastest-growing economies around the globe, yet its development and expansion are not only confined within it, but also it has stretched its progressive arm in the arena of Information Technology and Intellectual Property Rights. The country has established a legal framework to protect intellectual property, including patents, trademarks, passing off, copyrights, and trade secrets. Indusland has made strides in copyright development, aligning with global standards, through the enactment and implementation of various statutes and judicial precedents. Owing to the developing nature of the country, neoteric efforts are being constantly researched to incorporate contemporary ideas related to the Copyright of different creative works and aligned ideas, along with the rights and liabilities in the emerging field of Artificial Intelligence.
2. Prolific writer and a resident of Gotham, the Capital City of Indusland, Joseph D'Souza has infamously been known for his highly exquisite, engrossing and ornamental pieces of writing which have been widely acclaimed as "unputdownable" by a massive audience of the country. Among other works, the most notable and appreciated crime thriller omnibus, "*In the Labyrinth of Corpses*", has attracted the love of the mass audience. The first book in the series was published in 2000 and subsequently 3 more

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<sup>1</sup> Please note that the facts stated in this Moot Matrix are hypothetical. Names, characters, businesses, places, events and incidents are the author's imagination and are used in a fictitious manner. Any resemblance to actual persons, living or dead, or actual events is purely incidental. This Moot Matrix is made not educational purpose only.

sequels were published in 2005, 2010 and 2013 respectively. The entire omnibus proved to be a huge fan favourite and with the launch of each sequel, the audience used to get immensely intrigued and exhilarated for the launch of the next sequel. The last book, which was published in the year 2013, had a bizarre ending with multiple cryptic plot holes that intrigued the audience since its release. In the aftermath of the release of the last book, the author attended several conferences, seminars and many other live shows on numerous occasions where he had assured the release of the final book of the omnibus which is anticipated to answer all the mysterious plot holes, but no sequel has been launched yet.

3. Among Joseph D'Souza's massive fanbase, Zaron Ahmed's enchanting fascination towards the aforementioned omnibus has been augmenting since the release of the last book. He works as an IT professional in one of the leading multi-national companies based in Gotham. Zaron has the hobby of reading mystery novels. He has been a dedicated and loyal fan of the omnibus- "*In the Labyrinth of Corpses*" since the release of its first book. After the launch of the third book, he was tremendously thrilled by all the plot holes and most specifically, the cryptic ending had intrigued him to a huge extent. He also used to attend all the seminars and ComiCon of D'Souza as he has been keenly anticipating the release of the final book where he also met many other fans who were also expecting the final chapter to get released soon which would answer all of their queries regarding the cryptic plot-holes. Zaron had also mailed the author multiple times enquiring about the tentative time of the release of the final chapter, yet no specific answers were provided by the author. He also composed several fan theories which he

presented in various group discussions on different social media platforms like Instagram, Reddit, Facebook etc. which were subjected to mass appreciation.

4. Feeling extremely anxious and unsettled, he resolved to discover a way on his own and for that, he downloaded all 4 volumes of the Omnibus from [dwindle.com](http://dwindle.com), a website with having vast digital library that offers access to millions of books, magazines, and audiobooks and through this website, reader can also buy or download e-copies of books. So, eventually, Zaron, after downloading all four volumes, removed the Digital Right Management (DRM) and converted all of them into pdfs.
5. Subsequently, he assimilated all 4 pdfs and inputted them into the NeuroNest<sup>2</sup>, a product of NeuroVerse<sup>3</sup>. Afterwards, he trained the model with certain creative commands in such a way that it would ultimately generate and concoct the final chapter of the omnibus which will answer all the plot holes of the last released book. Accordingly, on 26<sup>th</sup> February 2021, he succeeded in generating the coveted final chapter which not only answered all the plot holes but also provided a brand-new dimension in the storyline

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<sup>2</sup>NeuroNest is an advanced language model that excels in understanding and is a generative pre-trained model. With improved data interpretation capabilities, it efficiently processes and comprehends complex queries. Its enhanced data-feeding mechanism allows for more nuanced responses by analysing context, ensuring accurate information retrieval, and adapting to diverse conversational styles. The model leverages a vast dataset, enabling it to provide contextually relevant answers. This iteration demonstrates superior language understanding, making it a versatile tool for natural language interactions. The refined data handling empowers NeuroNest to engage in meaningful conversations, making it a cutting-edge advancement in language processing technology.

<sup>3</sup> NeuroVerse is a leading research organization dedicated to developing artificial intelligence (AI) technology for the betterment of humanity. Founded with a mission to ensure that AI benefits all of humanity, NeuroVerse conducts cutting-edge research in AI, including machine learning, natural language processing, and robotics. The organization strives for transparency and collaboration, sharing its research findings and tools with the global community to advance the field of AI. NeuroVerse work spans various domains, from developing powerful language models like NeuroNest to exploring the potential of reinforcement learning and multi-agent systems, shaping the future of AI innovation and application.

which resulted in making the overall plot more intriguing and gripping. The NeuroNest also came up with an ingenious name – *“Rendezvous with the Killer”*.

6. Eventually, he shared his utmost elation and astonishment with his peers, members of the book club and other fans, about the fact that an AI, with the help of his creative commands, was capable of giving an impressive sequel to an original storyline and of answering the cryptic plot-holes of the omnibus. Perceiving the colossal excitement, he decided to discuss the findings and theories of the final chapter on the social media platforms and thus he publicized several posts through his social media accounts describing the said findings of the plot. Also, he started discussing the AI-generated plot in several book club discussions and virtual gatherings.
7. This revelation created massive enthusiasm among the fans who started demanding the entire plot of the book. Hence, he shared the whole AI-generated book on various social media platforms where the massive fanbase got access of the whole storyline which created tremendous excitement among them and the plot went viral in no time.
8. Within a week of the disclosure of the plot, the original author Joseph D’Souza found out the digital copy from one of the social media platforms. He read the entire plot and discovered that the whole concept was copied from the previous volumes of his omnibus; also, some of the theories of the AI-generated book entirely matched with his original theories which he was supposed to incorporate in his final book. He was immensely disappointed as his ideas were plagiarised by one of his fans Zaron Ahmed. The

disappointment augmented as he was about to complete the final book of the omnibus as was promised by him to his fans.

9. Aggrieved by the act, he filed a suit in the District Court against Zaron Ahmed for infringement of copyright of his omnibus under Section 62 of the Indusland Copyright Act, 1956 on 15<sup>th</sup> June 2021. The District Court, after critically analysing the facts, circumstances and contentions of both the parties, “*dismissed the suit on contest*” on 31st December 2021.
10. Aggrieved by such decree, Joseph decided to appeal to the High Court of Gotham under Section 96 of the Code of Civil Procedure, 1908 on 25<sup>th</sup> January 2022. The Hon’ble High Court accepted the appeal and after scrutinising the whole matter and also the ratio decidendi of the previous judgement, upheld the decision of the District Court on 16<sup>th</sup> November, 2023.
11. Subsequently, displeased by the decision of the appellate court, Joseph D’Souza finally decided to file a Special Leave Petition (SLP) under Article 136 of the Constitution of Indusland, in the Apex Court on 10th December 2023. The Supreme Court of Indusland after a preliminary analysis of the case, framed the following issues and listed the case for final hearing on 21<sup>st</sup> March 2024:
  - i. Whether the Special Leave Petition (SLP) filed by Joseph D’Souza maintainable in the Supreme Court of Indusland?
  - ii. Whether “*Rendezvous with the Killer*” can be defined as “work” as per the provisions of the Indusland Copyright Act, 1956?
  - iii. Whether Zaron Ahmed has the defence of “originality”?

- iv. Whether NeuroVerse can be held liable for infringement of Copyright? Whether NeuroVerse have the defence of the “Fair Use Doctrine”?



**Notes:**

- a. Parties are free to decide upon and accordingly frame sub-issues, however, the parties must restrict their arguments within the ambit of the abovementioned four issues only.
- b. Parties must frame submissions from both sides.
- c. All the laws of Indusland are *pari materia* to the laws of the Republic of India, and no such facts is *pari materia* to any other country.