

POKHARA UNIVERSITY

Level: Bachelor

Semester: Spring

Year: 2021

Programme: BBA/BBA-TT/BCIS

Full Marks: 100

Course: Legal Aspects of Business and Technology

Pass Marks: 45

Time: 3 hrs.

Candidates are required to answer in their own words as far as practicable. The figures in the margin indicate full marks.

Section "A"

Very Short Answer Questions

Attempt all the questions. [10×2]

1. Discuss the concept of legal environment.
2. Define voidable contract.
3. Mention the rights of the finder of lost goods.
4. What is the meaning of arbitration?
5. Define Cyber Law.
6. What are the differences between agreement and contract?
7. What are the roles of legislation?
8. Give the concept of dishonor of negotiable instrument.
9. Generally, company is based on limited liability concept. What does it mean?
10. Comment on Intellectual Property Rights being a citizen of the third world.

Section "B"

Descriptive Answer Questions

Attempt **any six** questions. [6×10]

11. Define company as an artificial person and explain its registration process referring to Company Act-2063 of Nepal.
12. Briefly discuss the major sources of business law along with its significance.
13. What do you understand by pledge? Distinguish it from a bailment with an example.
14. Rajiv approached Jeevan, a businessman for a loan of Rs. one million. Jeevan said, he would lend the amount if there is someone who could provide guarantee for the payment of the amount in case of Rajiv defaults. On the request of Rajiv, Sunil, his friend agreed to give that guarantee. Identify principal debtor, creditor and surety there. Discuss the rights of surety against principal debtor and creditor.
15. 'Sale' and 'Agreement to Sale' have some important differences. Discuss them.

16. Briefly discuss the major provisions of Labor Act-2074 of Nepal.
17. What are the major duties of an auditor? State in brief the conditions of removal of an auditor.

Section "C"

Case Analysis

18. *Read the case situation given below and answer the questions that follow: [20]*

Sirish completed Master's degree in Nepali Literature from Tribhuvan University. Being very interested in Nepali literature, she wrote a novel in Nepali and hired Kamal Publishing Company for printing of books. After the books are printed, she took the delivery and marketed the books through various book stores and her personal contacts. After one month, she came to know that Kamal Publishing Company published 500 copies of her book and started selling them through its book outlets without taking permission from the author, Sirish. Having come to know that, Sirish, complained to the company. But, the MD of the company claimed that the company is the copyright owner of the book and Sirish, the author does not have a right to stop publication of the books. The dispute arose.

Questions:

- a) What is copy right? [2]
- b) As Sirish has not registered her book under Copyright Act-2059, will the book get copyright protection under the Act automatically? [2]
- c) What do you understand by the term 'copyright owner'? [2]
- d) Discuss economic rights of the author. [6]
- e) Who do you think is the copy right owner? Give reasons. [4]
- f) What punitive provisions that we have under Copyright Act-2059 against those who violate copyright of author? [4]