



JDP SCHOOL OF LAW
Semester 1: Year 2021

FINAL COURSE EXAMINATION PAPER

LAW F17: Law and Technology

Important Instructions to Students:

1. This is a TAKE HOME OPEN BOOK EXAMINATION.
 2. The duration of the Examination shall be from 16 June, 2021 till 18 June 2021 and the examination starts 12.00 pm and ends 12.00 pm.
 3. The exam paper is being disseminated to you via student email.
 4. Read the questions, instructions carefully and answer the questions.
 5. You are allowed 48 hours to do this exam.
 6. This Final Examination paper is worth 60 marks. You must score at least 30 marks in this final exam to pass the course.
 7. You are to ONLY refer to your course notes/lecture notes, textbooks and any other resource shared by the course instructors in this semester. Reference to any other material may be deemed as cheating, plagiarism and dishonest practice. (See 11 below)
 8. Write your name, course code and student identification number clearly.
 9. Type the answers using Microsoft Word (MS Word).
 10. If you receive prior approval, or receive the same after notifying of internet or computer issues during the exam, then you can write your answers on clean and neat sheets of paper. Write all your answers legibly. The marker has the right to award zero for answers that are not legible.
 11. The University views plagiarism, cheating and dishonest practice as serious offences and if found, offenders are penalized.
 12. The Final Examination answer scripts MUST be uploaded on the portals labelled FINAL EXAMINATION SCRIPTS on Moodle of this course. Adhere to the time and date indicated in 2 above.
- Subject to 10 (above) the Final Examination answer scripts can also be emailed to your course co-ordinators on their email by the date and time as indicated in 2 (above).

SECTION A- Compulsory

Question 1

The process of drafting operates in two planes: Besides seeking the right words, the draftsman seeks the right concepts.

- a) What are the two planes of drafting discussed in class? (2 marks)
- b) In dealing with the first plane, state and discuss the two important principles one must consider. (2 marks)
- c) State and discuss two characteristics of drafting. (2 marks)
- d) State and discuss two things a drafter must consider before beginning to draft any legal document. (2 marks)
- e) State the four categories a drafter must consider when organizing his or her writing. (4 marks)
- f) State and discuss three elements of legal drafting. (6 marks)
- g) Drafters should avoid certain type of words. Discuss two examples of words that drafters should avoid while drafting documents. (2marks)

[20 marks]

SECTION B Optional Questions.

Answer any FOUR (4) questions. Some Questions have parts. All parts must be attempted.

Question 2

- a) What is the purpose of the trademark under the *Trademark Act*? (2 marks)
- b) State and explain (with example) the difference between a logo and a trademark. (2 marks)
- c) According to the *Act*, what are some essential particulars of a trademark? (2 marks)
- d) What is copyright and what does it protect? (2marks)
- e) What do you understand from the term, 'Patent'? (2marks)

[10marks]

Question 3

Our lives revolve around the digital world, more than ever technology is now a norm of the society. Thus, the need to have compatible legal frameworks to establish, control and regulate technological advances.

Elaborate the following:

- a) What is technology? (1 mark)
- b) State and explain what differentiates blogs from websites. (2marks)
- c) State and explain one potential danger in dealing with technology. (2marks)
- d) Identify two advantages of laws relating to technology. (2 marks)
- e) What are forums? (1 mark)

f) State and explain one disadvantage of using the internet. (2marks)

[10 marks]

Question 4

- a) State and explain (with examples) three advantages of using the internet services. (6 marks)
- b) In your opinion, discuss (with example) how information technology affects people's social behaviour. (4 marks)

[10 marks]

Question 5

Technology, Legal Education, Legal Practice and Information and Communication Technology (ICT) play a definitive role in the development of anyone in the legal profession. Elaborate on the following.

- a) Name two legal websites that are commonly used by the legal profession in Fiji. (2 marks)
- b) State and explain what is a data base and why is it important to the legal profession. (2 marks)
- c) What is *Turnitin*? (2 marks)
- d) State and discuss one advantage of using Turnitin. (2 marks)
- e) What is plagiarism? (2 marks)

[10 marks]

Question 6

- a) State and discuss two advantages and disadvantages of using the library. (4 marks)
- b) In the absence of an express contractual term imposing confidentiality, there are several circumstances that can give rise to an obligation of confidentiality. Consider the relevance of confidentiality in two professional occupations. (2 marks)
- c) State and explain (with examples) two exceptional situations where a lawyer may be exempted from his legal obligation to maintain confidential information disclosed by his or her client. (4 marks)

[10 marks]

Question 7

- a) State and discuss the three essential duties of a lawyer. (4 marks)
- b) To what extent can an email be used against an individual in the court of law? Support your answer with case laws. (6 marks)

[10 marks]

END.