

Code: 17BA4T2

II MBA - II Semester - Regular Examinations - April - 2019

BUSINESS LAW

Duration: 3 hours

Max. Marks: 60

SECTION - A

1. Answer the following:

5 x 2 = 10 M

- a) Explain the ways to discharge a contract.
- b) State the nature of contract of agency.
- c) Demonstrate the consumer rights given under the Act.
- d) Outline the features of company.
- e) Define GST.

SECTION – B

Answer the following:

5 x 8 = 40 M

2. a) Explain Breach of contract and state the remedies for aggrieved party in the contract.

OR

- b) Illustrate the parties competent to contract.

3. a) Who is an unpaid seller and state the rights of an unpaid seller?

OR

- b) Explain the termination of agency.

4. a) Define Bills of Exchange and write down its features.

OR

b) Explain the state consumer forum to solve the consumer grievances.

5. a) Write about the meaning and essential features of partnership firm.

OR

b) Illustrate the process of winding up of a company.

6. a) Illustrate the process of registration and filing the returns under GST.

OR

b) Describe the advantages and disadvantages of implementation of GST in India.

SECTION-C

7. Case Study

1x10=10 M

Mr.C.H.Chote installed a website “chahooindia.com”. This resembles the renowned website – “chahoo.com”. The services rendered by Mr.C.H.Chote are similar to the services rendered by the “chahoo.com”.(plaintiff) M/s C.H.Bade and Company, which had installed “chahoo.com”, claimed that they are global internet media, rendering services under the domain name “chahoo.com” which was registered with the “Net work solution Incorporation”, since 2000. An application for registration of trademark ‘chahoo’ was pending in India.

M/s C.H.Bade and company, further, claimed that they are the first in the field to have a domain name 'chahoo', and also to start web directory and provide search services. In June 2000, such directory was named 'chahoo'. Mr.C.H.Chote adopted the domain name 'chahooindia.com' which is closely resembling to the renowned name 'chahoo.com'. It was found that the internet users, who wanted to use 'chahoo.com' may reach to the 'chahooindia.com.' Hence, they claimed that the act of Mr.C.H.Chote is dishonest and were tantamount to 'cyber-squatting'.

Mr.C.H.Chote claims that:

1. Plaintiffs' trademark was not registered in India; therefore, there could not be any action for infringement of registered trade mark.
2. There could not be an action of passing off as the defendants were not offering goods but services.
3. The persons using internet and seeking to reach the internet site were all technically educated and literate persons. As such there is no chance of deception and confusion.

Discuss the claims of the parties and their legal rights with reference to Cyber Laws and I.T. Act, 2000.