

## **TECHNOLOGY AND LAW**

Duration – 6 Weeks

Course Modules

### **1) Introduction to Technology & Law**

- a. A Brief history of Tech & Regulation
  - i. Genesis of modern day technology and internet law
  - ii. IT Act
  - iii. Implications on other law, such as Stamp laws, IP laws, Evidence etc
- b. Specific challenges faced on the digital front
  - i. Jurisdictional Issues
  - ii. Enforcement
  - iii. Tax
  - iv. Binding Contracts

### **2) Privacy & Data Protection**

- a. What is the difference between privacy and data protection?
- b. Constitutional mandates
- c. The IT Act and the Indian data rules
- d. The Personal Data Protection Bill
- e. GDPR vs the new bill
- f. Puttaswamy and its promise: Has the SC let us down after Puttaswamy?
- g. Data Localization

### **3) Regulating the Internet**

- a. Which law applies? How would a technology neutral law apply to the internet?
- b. Obscenity, Pornography and Sedition
- c. Offenses on the Internet
- d. Taxing Digital Companies

### **4) Ad-Tech Business**

- a. What are Ad – Tech Businesses
- b. Intermediary –
  - i. Historical context;
  - ii. Current Rules
  - iii. Kent RO / Myspace
  - iv. Shreya Singhal;
  - v. Proposed Intermediary Rules;
  - vi. Take Down & Blocking of Content
  - vii. The ethical underpinnings of the intermediary exception
- c. Equalization Levy

### **5) OTT Platforms**

- a. Different kinds of OTT Platforms & Their liabilities – (a) Communication (Messaging and Voice); (b) Applications eg: social network, e- comm, cab aggregators etc.; and (c) Video / audio content;
- b. Regulation of OTT Applications – TRAI CP
- c. Content Regulation – IPC & Other laws governing content (over & above IT Act)
- d. Tik Tok / PUBG / Blue Whale Cases.

- e. Recurring payment related issues – Uber Circular

**6) E-Commerce – Legal Framework**

- a. Different kinds of e – commerce platforms – (a) intermediary vs publisher; (b) 'Inventory' v. 'Marketplace'
- b. Structuring terms & conditions
- c. Enforceability & Unenforceability of Clickwrap Agreements and one sided terms.
- d. Consumer Protection Law
- e. FEMA & Tax
- f. Proposed E – commerce policy
- g. Challenges of a global e-commerce store

**7) Blockchain**

- a. Does Satoshi exist?
- b. Distributed Ledger technology & it's initial purpose
- c. Crypto Currencies & Tokens
- d. Private & Hybrid Blockchains: Disrupting Satoshi
- e. The future of blockchain

**8) Fintech**

- a. Role and powers of the RBI; PSS Act;
- b. Proposed Payments Bill
- c. Authentication in a post Aadhar world  
The Digital Payments Landscape of India
- d. Payment Wallets
- e. Online Lending
  - i. Microfinance
  - ii. Peer 2 Peer Lending
- f. Fintech Regulator

**9) Competition Law and Technology**

- a. Anti-competitive agreements, cartelisation and technology  
ortia
- b. Abuse of Dominance and Technology: Global Judicial Trends
- c. Are monopolistic trends inherent in new age technology businesses where winner takes all?
- d. Ring fencing and Standard setting: Does competition law understand technology

**10) New Age Tech & Law**

- a. Artificial Intelligence & Robotics
- b. Geo – Spatial Law & Using Google Maps;
- c. Drones Regulation
- d. Flying cars