



RAJIV GANDHI SCHOOL OF INTELLECTUAL PROPERTY LAW
INDIAN INSTITUTE OF TECHNOLOGY KHARAGPUR
KHARAGPUR - 721302 (WEST BENGAL)

4th IIT LAW SCHOOL NATIONAL MOOT COURT COMPETITION
2018

(31st August to 2nd September, 2018)

COMPETITION MANUAL

(Rules and Registration Form)

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1. GENERAL

- 1.1. The 4th IIT Law School National Moot Court Competition, 2018 shall be held from **31st August to 2nd September, 2018** at the Rajiv Gandhi School of Intellectual Property Law (IIT Law School), Indian Institute of Technology Kharagpur, West Bengal.
- 1.2. The administrator of the Competition shall be the **Moot Court Committee (MCC)** of Rajiv Gandhi School of Intellectual Property Law IIT Kharagpur.
- 1.3. The Competition shall be conducted in accordance with the rules mentioned hereunder. For the purposes of this competition, it will be presumed that all participants have read and submitted to these rules. The participants are required to comply with the rules and procedures prescribed herein.
- 1.4. **Important dates:**
 - 1.4.1. **9 July, 2018 (11:59 PM):** Provisional registration on the receipt of Soft copies of Registration Form along with soft copies (scanned) of the Payment receipt (**Registration Fee of Rs. 4000/-**) via Email (nmcc4.iitkgp@gmail.com)
 - 1.4.2. **10th July, 2018:** Confirmation of Team Registration by Moot Court Committee.
 - 1.4.3. **15th July, 2018:** Last date for requesting Clarifications about the moot problem (can be made via Email: nmcc4.iitkgp@gmail.com).
 - 1.4.4. **18th July 2018:** Clarifications will be released to teams.
 - 1.4.5. **25st July, 2018:** Hard Copies of the Registration Form along with the Payment receipt to reach the organizers via post.
 - 1.4.6. **10th August, 2018 (11:59PM):** Submission of soft copy of Memorials.
 - 1.4.7. **31st August, 1st and 2nd September, 2018:** Dates of Competition.

2. ELIGIBILITY AND PARTICIPATION

21. **Team Member Eligibility:** All students currently enrolled in LL.B. or LL.M. degree in any Law School/College/University in India, are eligible to participate in the Competition.
22. **Team Composition:** Each team shall be composed of three (3) members, with two speakers and one researcher. A two (2) member team, in which both the members are speakers, is also eligible. No change in team composition shall be permitted once the registration of the team has been confirmed by the MCC. No additional/observer member shall be entitled to hospitality or certificate.
23. Only one team per institution is allowed to register in the competition.
24. The official language, for all purposes of the competition, shall be English only.

3. TEAM REGISTRATION

31. Each team is required to register by duly filling up the Registration Form provided with the invite for the competition. **The registration form is also provided at the end of this document (page nos. 17 to 19).**
32. Team members shall clearly fill up the form with correct spelling of each team member's name and other details, as may be required in the registration form. The names entered in the form will be used for all official purposes such as issuing of certificates, etc.
33. Each team must register through electronic means by sending a scanned copy of the duly filled registration form, the Online receipt of payment, to Email: nmcc4.iitkgp@gmail.com latest by **9th July**, 2018 (11:59 PM).

34. A hard copy of Registration form duly filled and signed accompanied by the **Registration Fee of Rs. 4000/-**, in the form of Online Transfer Receipt, must be sent to the address mentioned in the registration form. The receipt should be made in favour of “**CEP STC, IIT KHARAGPUR**” and should be payable at **KHARAGPUR, WEST BENGAL**.

35. The **Online Transfer Bank Detail** is mentioned below:

Name of the Account as appearing in the Bank Account : CEP-STC

Bank Account Number & Type : 9556 220 000 2955 [Savings]

Name of the Bank : SYNDICATE BANK

Branch Name : SRIC, IIT KHARAGPUR

MICR Code of the Bank : 7 2 1 0 2 5 1 0 3

IFSC Code of the Bank : S Y N B 0 0 0 9 5 5 6

SWIFT Code of the Bank : S Y N B I N B B 1 2 0

Nature of Bank : Non-SBI Bank

35. **Team Identification Number (TIN)**: Each team shall be allotted a ‘Team Identification Number’ along with the confirmation email and teams shall only use the TIN for their identification at any time after the confirmation. The teams are not allowed to disclose their identity in any manner, other than by referring to their TIN. The TIN shall be used for completing registration formalities and in the Memorial submissions.

36. Registration shall not be refundable on any ground whatsoever.

4. WRITTEN SUBMISSIONS

41. All Written Submission must comply with the requirements mentioned in this part of the Rules. The teams are required to carefully read and understand the rules mentioned in this part as any failure to abide by these requirements shall be penalized as mentioned under these Rules.
42. Soft copies of the Memorials for each side must be submitted by 31st March in both .docx and .pdf formats to **email: nmcc4.iitkgp@gmail.com**. The subject of the email must be “Memorial for TIN”; for e.g., if TIN allotted is ‘RG15’ the subject should read as ‘Memorial for RG15’.

Each document should be submitted after labeling the header for each page with TIN_A for the Appellant(s)/Petitioner(s) side and TIN_R for the Respondent(s) side.

Example:

For TIN allotted as ‘RG15’:

- 1) RG15_A > (Appellant(s)/Petitioner(s) side),
 - 2) RG15_R > (Respondent(s) side).
43. **Five hard copies of the Memorials must be submitted to the registration desk upon arrival. Teams are required to bring extra copies of Memorials for their own use during oral submission rounds.**

The hard copies of the Memorials must bear a cover page in conformity with the following scheme:

Petitioner(s)/Appellant(s): Blue

Respondent(s): Red

The evaluation of Memorial would be done based on the soft copy submitted.

44. The Memorial must not contain any disclosure about the team such as name(s) of members of the team or associated organization, any mark, character, text or any other form of identification mark in any part of the Memorial. Such act will attract penalty provision as per these rules and the MCC reserves the right to disqualify the team from the competition upon such act.

45. **Content of Memorial:**

45.1. The Memorial must necessarily consist of the following sections and no other section is allowed:

- A. Cover Page
- B. Table of Contents
- C. List of Abbreviations
- D. Index of Authorities
- E. Statement of Jurisdiction
- F. Statement of Facts
- G. Issues for Consideration
- H. Summary of Pleadings
- I. Written Submissions
- J. Prayer for reliefs
- K. Cover Page shall necessarily and only have the following details: Team Identification Number [TIN] on the top right corner of the cover
- L. The name and place of the forum
- M. The relevant legal provision for filing the suit
- N. Name of the parties and their standing (Appellant, Petitioner, Respondent etc.)
- O. Memorial filed on behalf of...
- P. Counsel appearing on behalf of...

45.2.

4.6. **General requirements:**

4.6.1. Memorials must strictly adhere to the following general requirements:

- A. All Memorials must be printed in Black and White on standard A4 white paper ONLY.
- B. The font used must ONLY be Times New Roman, Size 12, with double line spacing.
- C. The font used in the footnotes must ONLY be Times New Roman, Size 10, with double line spacing. However, the space between consecutive lines of a single footnote may be single spaced, subject to uniformity throughout the Memorial.
- D. Speaking footnotes are not allowed.
- E. Illustrative example of an acceptable footnote: Ax v. By, AIR 2014 SC 299, 300-301.
- F. The *Harvard Blue Book* Style of footnoting (19th Edition) must be followed as far as practicable. As far as possible, footnoting must be uniform throughout the Memorial.
- G. Each page of the Memorial must have a margin of one inch (1”) on all sides. No text must be placed within this margin of the page, other than the page number and the TIN.

4.6.2. The Written Submission (pleading) **shall not exceed 6000 words** including footnotes.

4.6.3. The MCC shall reserve the right to not evaluate submissions which are not in conformity with the aforementioned rules.

4.6.4. No amendments whatsoever shall be permitted to be made to the Memorial after the online submission has been made.

4.6.5 The Teams are advised to bring their compendiums/white paper book, the compendium/white paper book should not in any manner disclose the identity of the Participating Institution.

5. EVALUATION OF WRITTEN SUBMISSIONS

5.1. Memorial marks will carry one-third (1/3) weightage of the total cumulative marks in the Preliminary Rounds.

5.2. Memorials shall be evaluated on the following criteria:

Application and appreciation of facts of the proposition	20 Marks
Identification, structuring and presentation of issues	20 Marks
Application of legal principles, authorities and precedents	20 Marks
Ingenuity and logical reasoning	20 Marks
Lucidity, coherence and written composition of pleadings	10 Marks
Proper footnoting and formatting	10 Marks

5.3. Applicable penalties shall be deducted from each of the Memorials after each Memorial has been evaluated. The penalties deducted shall, in no condition, cause the marks to be reduced below two-fifth (2/5) of the maximum marks.

5.4. **RESEARCHER'S TEST:** A Researcher's Test shall be conducted at the Venue on **31st August**, 2018 before the start of the Preliminary Rounds to adjudge the Best Researcher.

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6. ORAL SUBMISSIONS

6.1 The language of the Court shall be English only.

6.2 The time limit for the oral submissions shall be as per the respective rounds for each team.

6.3 This shall include the submissions of both the speakers from the team and the time reserved for rebuttal/sur-rebuttal.

- 6.4 The sur-rebuttal shall be limited to the rebuttals made by the opposing team.
- 6.5 The time split between the speakers must be communicated to the bailiff prior to the commencement of each Round.
- 6.6 Teams should adhere to the time restrictions to avoid imposition of penalties. In an event where the judges are of the opinion that a certain exigency does require an extension of time, they may extend the cumulative speaking time for a team by a maximum of five (5) minutes.
- 6.7 There shall be no communication, oral, written or in any other manner whatsoever, between team members seated on the table and the speaker. However, the Researcher is allowed to pass chits to the speaker in an orderly manner without disturbing the decorum of the Court.
- 6.8 **STRUCTURE OF THE ROUNDS** : The oral rounds shall comprise of:
- A. Preliminary Rounds
 - B. Quarter-Final Rounds
 - C. Semi-Final Rounds
 - D. Final Round

A. PRELIMINARY ROUNDS

- A.1 **There shall be two Preliminary Rounds.** Every team shall be given the opportunity to argue from each side in the Preliminary Rounds the schedule for which shall be determined by a draw of lots.
- A.2 Each team will be given a total of 30 minutes to present their case which includes rebuttal and sur-rebuttal.

- A.3. The division of time between the speakers is at the discretion of the team members, subject to a maximum of 18 minutes for any one speaker. Each team shall indicate to the court-clerk the allocation of its 30 minutes.
- A.4. Each moot shall be decided by the award of a maximum of nine (9) points. Of which a maximum of 3 points can be scored for the memorial scores and maximum of 3 respectively for each of two speakers.
- A.5. If the difference in memorial scores of the teams facing each other is equal to or exceeds seven percent (7%), then three (3) points are to be awarded to the team with the superior memorial scores and if the difference in memorial scores is less than seven percent (7%), then two (2) points are to be awarded to the team with the superior memorial scores and one (1) point is to be awarded to the other team.
- A.6. If the difference in speaker scores of the teams facing each other as awarded by each judge in the preliminary round is equal to or exceeds seven percent (7%), then three (3) points are to be awarded to the team with the superior speaker scores and if the difference in speaker scores is less than seven percent (7%), then two (2) points are to be awarded to the team with the superior speaker scores and one (1) point is to be awarded to the other team.
- A.7. If two or more teams have the same number of wins and also the same cumulative points, the team with the higher cumulative oral rounds marks shall be ranked higher.
- A.8. If two or more teams have the same number of wins, the same cumulative points and also the same cumulative oral rounds marks, then the team with the higher gross memorial score, i.e., the score of the memorials without deducting penalties, shall be ranked higher.

- The top 8 teams based on the points scored in the Preliminary rounds shall advance to the Quarter-Final Rounds.**

B. QUARTER-FINAL ROUNDS

- B.1. The side to be represented by the qualifying teams shall be determined by a draw of lots.
- B.2. Qualifying teams shall argue only for one side in the Quarter Finals. Each team shall get a total of 35 minutes to present their case. This time will include rebuttal and sur-rebuttal.
- B.3. The division of time between the speakers is at the discretion of the team members, subject to a maximum of 20 minutes for any one speaker. Each team shall indicate the time allocation to the court clerk.
- B.4. The Quarter Final Rounds shall be knockout rounds based on the points awarded by the judges.

- The four winning teams shall advance to the Semi-Final Rounds.**

C. SEMI FINAL ROUNDS

- C.1. The side to be represented by the team shall be determined by a draw of lots.
- C.2. Qualifying team shall argue only for one side in the Semi Finals. Each team shall get a total of 40 minutes to present their case. This time will include rebuttal and sur-rebuttal.
- C.3. The division of time between the speakers is the discretion of the team members, subject to a maximum of 22 minutes for any one speaker. Each team shall indicate to the court-clerk the time allocation.

- On the basis of knock out, 2 teams shall advance to the Finals.**

In case of a tie in any round (other than the Preliminary Rounds), the teams shall advance to the next round on the basis of highest memorial score.

D. FINALS

- D.1. Each team shall get a total of 45 minutes to present their case. This time will include rebuttal and sur-rebuttal.
- D.2. The division of the time is the discretion of the team members, subject to a maximum of 25 minutes for any one speaker. Each team shall indicate to the court-clerk the time allocation.

7. EVALUATION OF THE ORAL SUBMISSIONS

- 7.1. Speaker marks will carry two-third (2/3) weightage of the cumulative marks in the preliminary rounds.
- 7.2. Speaker marks, for the purposes of other Rounds of the Competition shall be utilized as determined elsewhere in these Rules.
- 7.4. The evaluation would be done on the following criteria:

Logical structuring and reasoning	10 Marks
Ingenuity and originality	10 Marks
Marshalling of facts	10 Marks
Articulation of issues	10 Marks
Presentation skills and communication ability	10 Marks
Response to questions posed	10 Marks
Application of legal principles	10 Marks
Use of authorities and precedents	10 Marks
Court etiquettes	05 Marks
Covering all the areas of the problem	05 Marks
Effective rebuttals	10 Marks

(Differently considered in ex-parte rounds, as stated below)

8. EXCHANGE OF MEMORIALS

- 8.1. There shall be an exchange of memorials between the respective opposing teams in accordance with the fixtures as determined by a draw of lots, prior to all the Rounds of the Competition.
- 8.2. The teams are prohibited from making any marks on the exchanged Memorials.
- 8.3. The teams are prohibited from making any copies of the exchanged Memorials.
- 8.4. At the conclusion of their respective Rounds, the teams are required to return the exchanged Memorials to the Bailiffs of the Court.

9. PENALTY

DELAY IN APPEARANCE/PRESENTATION

91. If a team scheduled to participate in the oral submissions of a Round does not appear for ten (10) minutes after the scheduled commencement of such Round, the other team shall have to make oral submissions ex-parte.
92. The criteria of rebuttals shall not be considered for evaluation in such cases, in place of which, an average for the same would be given on the basis of the marks scored by such team on the other criteria.

SCOUTING

93. Scouting by the speakers, researcher or any other person affiliated with a team will lead to immediate disqualification of such team.
94. Scouting shall be deemed to have happened if any person affiliated with a team is found:
 - a) Witnessing, hearing, observing, etc. the oral submissions in a Round, except where the Round is one in which the team to which he/she is affiliated is participating in; or

b) Reading a Memorial of a team except where:

- 1) It is of the team to which he/she is affiliated; or
- 2) The Memorials have been obtained on account of an exchange of memorials prior to a Round of the team to which he/she is affiliated.

GENERAL PENALTY

95. Penalty is imposed on the Memorial subject to Rule 5.3.
96. Failure to include all sections of the memorial (as mentioned in Rule 4.6.1) or the inclusion of an un-enumerated section, shall be penalized with Two (2) marks with each of such section.
97. Failure to include necessary information on the cover page of the memorial (as provided under Rule 4.6.2), or the use of a colour on the cover page contrary to the scheme mentioned under Rule 4.3 shall be penalized with Two (2) marks for each error.
98. Disclosure of identity of team or the associated institution as mentioned under Rule 4.4 and 4.6 shall be disqualified.
99. Delay in submission of Memorial shall be penalized with Two (2) marks on the first day of delay, with one (1) mark per day for every day thereafter, subject to a maximum cumulative penalty of five (5) points.
910. Substantive legal arguments (explanatory footnotes) outside of the approved sections of the Memorial as mentioned under Rule 4.6.1.D, shall be penalized with Two (1) mark, subject to a maximum cumulative penalty of six (6) marks. Further, such arguments will not be evaluated.
912. Incorrect Margins (as per Rule 4.6.1.G) shall be penalized with Two (2) marks, being a onetime penalty only.

- 9.13. Exceeding total words in the Memorial as mentioned under Rule 4.5.2 shall be penalized with One (1) mark for 500 extra words.
- 9.14. Improperly prepared structure/format of any of sections mentioned under the Rules shall be penalized with Two (2) marks, being a onetime penalty only.
- 9.15. Any Memorial found with plagiarism shall be subject to deduction up to three-fourth (3/4) of marks awarded towards Memorials, based on the extent of plagiarism.
- 9.16. Moot Court Committee reserves the right to amend / alter any rules necessary for the conduct of the National Moot Court Competition and any contravention to any rules shall incur the penalty of Two (2) marks.

10. PRIZES/AWARDS

The competition embraces following cash prizes/awards:

- [A]. Winner Team – Rs. 50,000 /-
- [B]. Runners-Up Team – Rs. 25,000 /-
- [C]. Best Memorial – Rs. 5,000 /-
- [D]. Best Researcher – Rs. 5,000 / -
- [E]. Best Speaker (Preliminary Rounds) – Rs. 5,000 / -
- [F]. Best Speaker (Final) – Rs. 5,000 / -

11. CERTIFICATE OF MERIT

The competition embraces following Certificates of Merit:

- [A]. Winners Trophy

- [B]. Runners-Up Trophy
- [C]. Best Memorial
- [D]. Best Researcher
- [E]. Best Speaker - Preliminary Rounds
- [F]. Best Speaker - Final

The Moot Court Committee may also grant or alter or cancel any Prize/Awards to any participants/teams in the competition.

12. ACCOMODATION AND TRANSPORTATION

- 11.1. Accommodation will be provided for the participating teams within the IIT Kharagpur Campus, starting from **31st August, 2018 to 2nd September, 2018**. Any extra guest shall not be entertained by the MCC.

13. MISCELLANEOUS

- 12.1. If any one of the members of a team is notified or informed of any detail or information concerning the Competition, it shall be deemed as if the said team as a whole has been duly notified or informed.
- 12.2. The copyright in the memorials submitted by the teams shall vest with the Rajiv Gandhi School of Intellectual Property Law, IIT Kharagpur. The acceptance of such vesting is a precondition to participation in the Competition.
- 12.3. In case of any doubt in the understanding or interpretation of any matter concerning the Competition, the decision of the MCC shall be final and binding.
- 12.4. The organisers shall resolve unanticipated or unexpected contingencies, if any, and the decision of the MCC in this regard shall be final. The acceptance of any such decisions of the Competition Administrator is a precondition to participation in the Competition.

- 12.5. The organisers reserve the right to use, amend, alter, vary or change, in any manner whatsoever, the Rules governing the Competition, which would be communicated to the teams within a reasonable period of time.
- 12.6. The teams are expected to reach the Venue by **31st August, 2018 at 09:00AM.**

14. VENUE

Rajiv Gandhi School of Intellectual Property Law (RGSOIPL)

Indian Institute of Technology Kharagpur

Kharagpur, West Bengal - 721302

15. CONTACT INFORMATION

For any further information you can send an email to: nmcc4.iitkgp@gmail.com ; or contact the undersigned:

	Name	Contact Number
Faculty In-charge (Moot Court Committee)	Prof. Shreya Matilal	+91 9735736470
	Prof. Uday Shankar	+91 9475884472
General Clarification		
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Travel		
Accommodation		

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USE BLOCK LETTERS
SEND IT BACK TO MCC

TEAM REGISTRATION FORM
REGISTRATION FOR PARTICIPANTS:

Information of Participants:

The number of participants in a team May either be three (Two speakers and One researcher) or two (Two Speakers, one of which should also be the researcher).

TEAM REGISTRATION FORM:

Name, address and phone number of the Institution:

Team Member One: The Official Person of Contact for Team

Name of Participant: _____

Age & Gender: _____

Degree and Year/ Semester: _____

Mailing Address: _____

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E-Mail: _____

Telephone/Mobile Number: योगः कर्मसु कौशलम् _____

Specify (Researcher/Speaker): _____

Date: _____

Signature: _____

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Team Member Two:

Name of Participant: _____

Age & Gender: _____

Degree and Year/Semester: _____

Mailing Address: _____

E-Mail: _____

Telephone/Mobile Number: _____

Specify (Researcher/Speaker): _____

Date: _____

Signature: _____

Team Member Three:

Name of Participant: _____

Age & Gender: _____

Degree and Year/Semester: _____

Mailing Address: _____

E-Mail: _____

Telephone/Mobile Number: _____

Specify (Researcher/Speaker): _____

Date: _____

Signature: _____

USE BLOCK LETTERS
SEND IT BACK TO MCC

REGISTRATION FEE

MODE OF PAYMENT: The mode of Payment is through Online Transfer only.

Account details:

Name of the Account as appearing in the Bank Account : CEP-STC

Bank Account Number & Type : 9556 220 000 2955 [Savings]

Name of the Bank : SYNDICATE BANK

Branch Name : SRIC, IIT KHARAGPUR

MICR Code of the Bank : 7210 25103

IFSC Code of the Bank : SYNBO009556

SWIFT Code of the Bank : SYNBINBB120

Nature of Bank : Non-SBI Bank 18 61

- 2 The payment of **Rs. 4,000/-** must be made in favour of “**CEP STC, IIT KHARAGPUR**,” payable at “Kharagpur, West Bengal”. Please fill the following information for Online Transfer Receipt:

Bank Name:

Online Transfer Detail

Date of Issuance /

Date of Transfer

Signature and Seal of the Head of Institution

Note: Kindly confirm registration by mailing the Copy of the duly completed registration form along with the Online Transfer Receipt on or before **9th July**, 2018. To nmcc4.iitkgp@gmail.com.

Mailing Address:

Moot Court Committee
Rajiv Gandhi School of Intellectual Property Law
Indian Institute of Technology, Kharagpur
Kharagpur, West Bengal - 701302
