



DEPARTMENT FOR PROMOTION OF
INDUSTRY AND INTERNAL TRADE
MINISTRY OF COMMERCE & INDUSTRY
GOVERNMENT OF INDIA



॥ विश्वविद्यालय प्रयासो विद्यायुते ॥

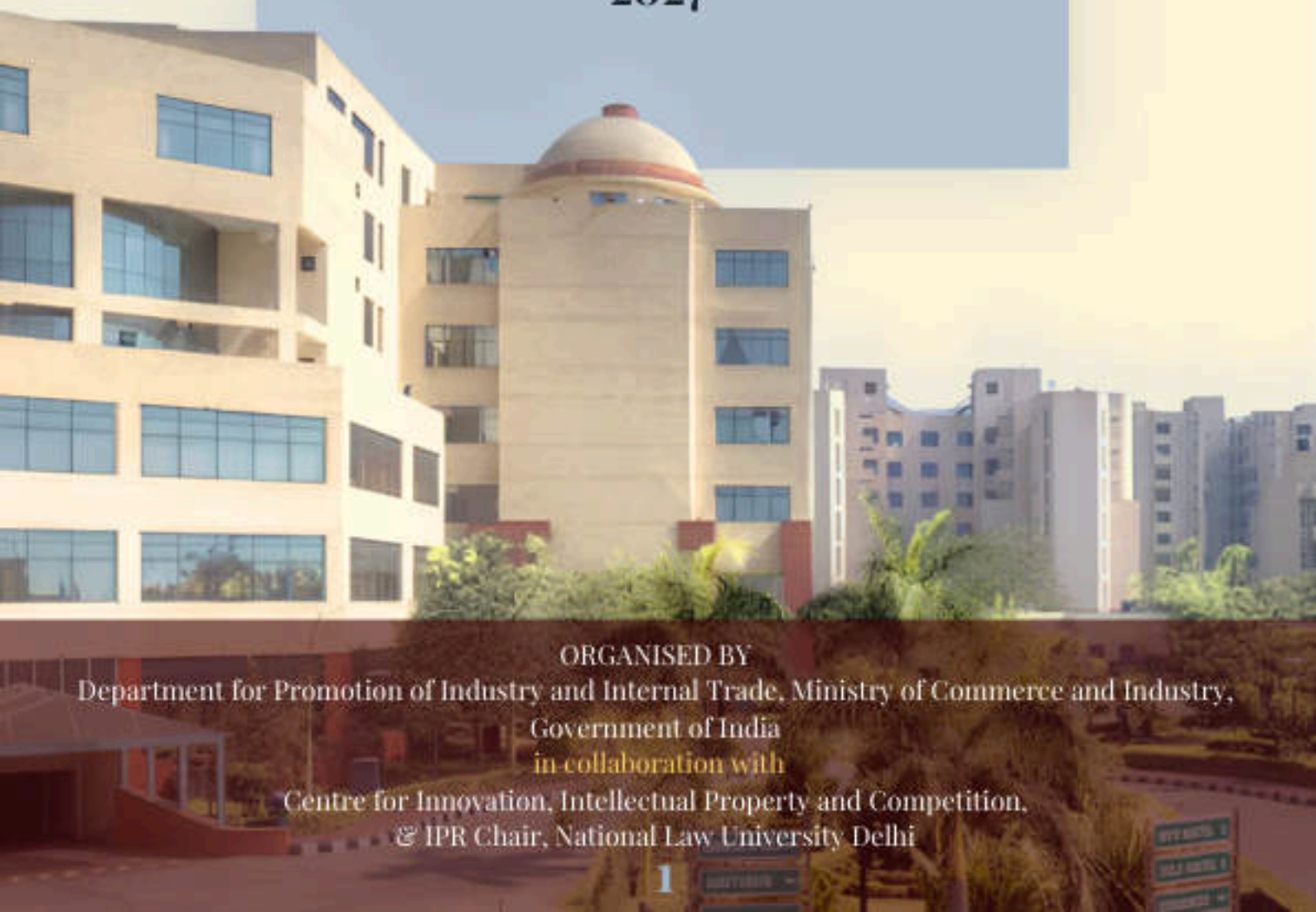


BROCHURE

VIDHI PRAGATI

NATIONAL IP MOOT COMPETITION

2027



ORGANISED BY

Department for Promotion of Industry and Internal Trade, Ministry of Commerce and Industry,
Government of India

in collaboration with

Centre for Innovation, Intellectual Property and Competition,
& IPR Chair, National Law University Delhi



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ABOUT US

The Centre for Innovation, Intellectual Property and Competition as well as IPR Chair at National Law University Delhi in collaboration with Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry is extremely proud to announce the much anticipated 3rd edition of its prestigious Vidhi Pragati: National IP Moot Court Competition. This competition is designed for participants to increase their advocacy skills, work on contemporary legal issues, and gain comprehensive knowledge of Intellectual Property Laws, its enforcement, and the latest case laws.

The first and second editions of the competition saw participation from premier law schools throughout the country. In the third edition, this competition continues its mission to provide a premier platform for law students across India to explore cutting-edge questions in intellectual property law. The theme of this edition is “Copyright and Trademark”, and the unique moot proposition will invite participants to deliberate over finer concepts of trademark and copyright in the contemporary world.

The competition is invite-only.

Any queries related to the competition may be sent to the official E-mail ID/ Website

ABOUT DPIIT

The Department for Promotion of Industry and Internal Trade (DPIIT) was established in 1995 to foster industrial growth in India. In 2000, it expanded its mandate through a merger with the Department of Industrial Development. Operating under the Ministry of Commerce and Industry, Government of India, DPIIT is instrumental in formulating and implementing policies that enhance the industrial sector. The department's initiatives align with national priorities and socio-economic objectives, promoting sustainable and inclusive industrial growth that contributes to the overall development of India's economy.

ABOUT NATIONAL LAW UNIVERSITY

National Law University Delhi (NLUD), established by Act 1 of 2008, aims to provide comprehensive and interdisciplinary legal education that is socially relevant. Its vision is to be a leading global institution, offering diverse opportunities for contributions to the legal profession. NLUD's curriculum bridges theoretical concepts and practical applications, fostering innovation and a scientific mindset among students to drive future change. The notable achievements of its students and faculty highlight the university's exceptional talent, and NLUD has consistently ranked 2nd in the Law Category of the National Institutional Ranking Framework (NIRF), Ministry of Education, Government of India.

ABOUT IPR CHAIR, NLUD

The Chair on Intellectual Property Rights (IPR) at National Law University Delhi (NLUD) was established by the DPIIT, Ministry of Commerce and Industry, in October 2018 to enhance IP education and research. It focuses on the intersection of IP law with public policy and international issues relevant to India. The Chair has undertaken a wide range of initiatives, including research on emerging IP areas and educational programs like L2Pro India. The Chair also organizes events to raise awareness among students, researchers, and practitioners, along with outreach activities to promote IP knowledge.

ABOUT CIIPC

The Centre for Innovation, Intellectual Property and Competition (CIIPC), established in 2015, fosters dialogue and research on innovation, intellectual property (IP), and competition. It employs empirical and interdisciplinary methods to explore contemporary issues in the field of IP. CIIPC also plays a vital role in various educational initiatives, including its involvement in the LL.M. program in IP Administration and Legislations, an executive diploma program tailored for officials of the CGPDTM and WIPO-NLUD-IPO Joint Masters/LL.M. in IP Law and Management Programme. Additionally, CIIPC hosts workshops, conferences, and courses to build capacity and facilitate discussions among scholars and industry professionals, attracting renowned experts and enthusiastic attendees from India and the Asia-Pacific region.

COMPETITION TIMELINE



6 October

Commencing
Registration



19 October

Last Date of Clarification



28 October

Last Date of
Registration



5-6
December

Penalty Appeals



28
November

Submission of Memos



30
October

Release of Clarification

Competition



5-7
February,
2027

WINNING TEAM
RS 1,00,000/-

1ST RUNNERS UP
RS 75,000/-

2ND RUNNERS UP
RS 50,000/-

BEST MEMORIAL
RS 50,000/-

BEST RESEARCHER
RS 25,000/-

BEST SPEAKER
RS 25,000/-

AWARDS





ARCHIVES



1st & 2nd Edition

ORGANISING COMMITTEE

PATRON IN CHIEF

PROF. DR. G.S. BAJPAI

VICE CHANCELLOR, NLUD

SHRI AMARDEEP SINGH BHATIA

SECRETARY DPIIT

PATRON

PROF. DR. RISHAM GARG

REGISTRAR, NLUD

MOOT DIRECTOR

MS. NISHTHA SHARMA

RESEARCH AND PROGRAMME COORDINATOR, CIPEC

STUDENT CO-ORDINATORS

APURVA TAYAL

SHIVANK YADAV

CHAITRALI NAIK

STUDENT MEMBERS

AAHANA PREETAM | ABHAY RATHORE |
ADITYA MEHTA | ANIRBAN DUTTA | AYANA
MEHTA | CHAITANYA CHATURVEDI | ETHAN
JOSÉ PINTO | GOOHKA JOSHI | KHYATI
CHATURVEDI | NAVYA MAHAJAN | NISHANT
SAXENA | MADHUSUDHAN YADAV | PIA ROY |
PRADDOSH S M | PRANJAL TRIPATHI |
PRIYANJALI KUMARI | PRITINANDA DAS |
RADHA KALANTARI | RIDHI GANDHI |
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DEPARTMENT FOR PROMOTION OF
INDUSTRY AND INTERNAL TRADE
MINISTRY OF COMMERCE & INDUSTRY
GOVERNMENT OF INDIA



॥ वाचसपते प्रयागे उपपन्न ॥



Centre For
Innovation
Intellectual
Property &
Competition

RULE BOOK

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1. INTRODUCTION

1.1. The Vidhi Pragati: National IP Moot Court Competition (hereinafter referred to as the ‘Competition’) is being organized by the DPIIT-IPR Chair, NLU Delhi in association with DPIIT, Ministry of Commerce and Industry. The moot is envisaged to be an annual competition of teams representing law schools throughout India.

1.2. The Competition is crafted as a comprehensive educational co-curricular activity with a multifaceted approach, rather than merely a competitive event with incidental educational benefits. The rules and procedures of the moot should be interpreted and applied with this educational objective as the primary guiding principle.

2. ORGANIZATION OF THE MOOT AND ORGANIZING BODY

2.1. The official language of the competition is ‘English’, and all oral arguments and memorials must be made in ‘English’.

2.2. The IPR Chair, instituted by Department for Promotion of Industry and Internal Trade (DPIIT) at NLU Delhi – Centre for Innovation, Intellectual Property and Competition (CIIPC), will serve as the Organizing Body (hereinafter referred to as the ‘OB’) for the event, operating under the auspices of the DPIIT. The OB retains the right and the exclusive authority to:

2.2.1. Enforce all competition rules.

2.2.2. Interpret the rules as necessary.

2.2.3. Settle any disputes that arise during the competition.

2.2.4. Address inquiries and provide clarifications regarding the moot problem.

2.2.5. Modify the rules or supplement them, if necessary.

2.2.6. Modify the moot problem at any stage, provided that prior notice is given to all participating teams.

2.2.7. Disqualify any team if their behaviour is deemed to constitute a serious breach of the rules or the overall spirit of the competition.

2.3. The OB will not engage in the evaluation of memorial or oral pleadings submitted by the participating teams.

2.4. The Student Coordinators and the Student Organising Committee (OC) are part of the OB. The Student Coordinators with support from the OC, will exclusively manage the exchange of memorials, scoresheets, and related tasks to ensure the highest level of confidentiality, acting under the guidance and advice of the Competition Coordinator. Any decision taken by the OC shall be considered as that taken by the entire OB. However, the entire OB will participate in organizing the oral rounds.

2.5. All materials relevant to the administration of the competition will be made available on the official website as well as the Instagram and LinkedIn profiles of Vidhi Pragati: National

IP Moot Court Competition. Further, the participating teams shall also receive email updates whenever deemed necessary by the OB.

2.6. All questions or inquiries regarding the competition must be submitted via Email to **dpiit.ipr@nludelhi.ac.in**, or on the **Vidhi Pragati website**. If a question or inquiry has implications for all participating teams, the query and its response will be shared with all participating teams via email. Clarifications regarding the Moot Proposition are excluded from this process.

3. STRUCTURE OF THE COMPETITION

3.1. The Competition operates on an invitational model. However, if the number of registered teams exceeds 24, selection for participation will be based on the evaluation of their memorials. Thus, the Competition shall comprise of two stages.

3.2. Stage I shall be the Memorial Qualifier Round. This shall be open to all teams which register for the competition after receiving the invitation. The results of this round shall be based on evaluation of memorials and shall determine the 24 teams which will proceed to Stage II.

3.3. Stage II shall be the Oral Rounds. The teams that qualify Stage I shall be eligible to participate. The Competition shall consist of the following Oral Pleading Sessions:

3.3.1. The Preliminary Rounds (I and II);

3.3.2. The Quarter-Final Rounds;

3.3.3. The Semi-Final Rounds; and

3.3.4. The Final Round.

4. PARTICIPATION AND ELIGIBILITY

4.1. The competition shall be open to all law students currently enrolled in recognised three-year LL.B. or five-year integrated LL.B. programmes. Participation shall be limited to students enrolled in Universities or Institutions which offer a law programme and fall within any of the following categories: (i) IPR Chair Universities; (ii) National Law Universities (NLUs); (iii) Universities or Institutions offering law programmes falling within the NIRF Law category; or (iv) Institutions ranked among the Top 10 Government and Top 10 Private Law Institutions under the IIRF Rankings, 2026; and (v) Institutes of Eminence. Each institution shall be permitted to register only one team for the competition.

4.2. Registration Procedure & Fees:

4.2.1. Interested teams are required to register for the Competition by filling the registration form. The link of the form is available on the website.

4.2.2. Each Team is required to upload a copy of a bona-fide letter, authorizing them to represent their institution at the Competition, issued by the appropriate authority of their Institution/College/University as a part of the Registration Form.

4.2.3. While filling the Registration Form, the teams have to choose a primary contact person, alternatively called a 'Point of Contact' ("POC"). All communications concerning the Competition will be sent by E-mail to the POC. The POC shall

be responsible for conveying all the information to the team. The POC shall be required to have WhatsApp on their phone number. The teams are also required to mention the E-mail of either the respective Committee or the Head/Dean of the institution in the Registration Form.

4.2.4. Any changes in the contact details of team members must be notified to the OB at the earliest. This obligation to inform shall continue throughout the course of the Competition, unless such a team withdraws or is otherwise disqualified from the Competition.

4.2.5. After submission of the Registration Form, a mail confirming the provisional registration will be sent to the respective committee or Head/Dean of the Institution/the POC of the team.

4.2.6. The last date for completion of all the registration formalities is before **28.10.2026 (11:59 PM IST)** (subject to any extension notified by the OB later).

4.2.7. The confirmation of Registration will be notified to the teams by the OB, after the completion and verification of all the registration formalities.

4.2.8. Each team will receive a unique Team Code, which must be used for identification throughout the competition. It is imperative that all team members refrain from revealing their institution's identity at any time or in any form during the

competition. Any violation of this rule may result in disqualification at the discretion of the OB. The OB's decisions regarding compliance are final and binding.

4.3. There is no registration fee for the competition.

5. MOOT PROBLEM AND CLARIFICATIONS

5.1. Theme: The theme of this year's moot problem would be *Copyright and Trademark*.

5.2. The Moot Problem shall be released on the website of the Competition. It is the responsibility of the participants to download and peruse the moot problem. Please note that no individual notifications will be sent regarding this matter.

5.3. For the purpose of seeking clarifications, participants can fill the Form on the Website using this link. The deadline for seeking clarifications is 11:59 PM on **19.10.2026**. Answers to clarifications sought shall be released on **30.10.2026**.

6. TEAM COMPOSITION AND SUBSTITUTION

6.1. Each team shall comprise of three members, wherein two members shall perform the role of a speaker, and one member shall perform the role of a researcher. Only the speakers are allowed to make submissions during the oral rounds.

6.2. Substitution of any team member after the registration deadline is prohibited. Exceptions will only be considered in

extenuating circumstances and must receive prior approval from the OB.

6.3. Alterations to the team composition as specified at the time of registration are not allowed. Any changes to the team composition will only be permitted under exceptional circumstances and require prior authorization from the OB.

7. MEMORIAL

7.1. Memorial Submission:

7.1.1. Every team which has successfully registered for the competition is required to prepare two memorials: Memorial on behalf of the Plaintiff and Memorial on behalf of the Defendant.

7.1.2. All teams are required to submit soft copies of their memorials for Stage I: Memorial Elimination Round before **30.11.2026 (11:59 P.M. IST)** on the Competition's website.

7.1.3. A penalty of 1 mark per 1 hour on each memorial shall be imposed for any submission made post the deadline specified. Memorials submitted 24 hours beyond the deadline specified shall not be evaluated.

7.1.4. The memorials which are submitted for the memorial qualifier round shall be considered final. No changes can be made to the submitted memorials whatsoever. Failure to comply with the same may result in disqualification, at the discretion of the OB. After the completion of the Competition, the OB reserves the right to use the memorials as they deem appropriate.

7.2. Memorial Format:

7.2.1. All submissions of the memorial must be provided in both Microsoft Word Document format (.doc/.docx) and PDF format. Teams are required to submit both versions of the memorial: one in Microsoft Word and one in PDF.

7.2.2. The files should be named according to the Team Code and the side for which the Memorial is prepared. As an illustration, Team 01 will name its Memorial for the Plaintiff as '01_P' and the Memorial for the Defendant as '01_D'. Use of any other format will be penalized.

7.2.3. The citation format must be the 5th edition of OSCOLA. Speaking footnotes and endnotes are not allowed.

7.2.4. The cover page of the memorial must contain **ONLY** the following information in the same format and in the same order:

7.2.4.1. Team Code in the upper right-hand corner, as per the format specified in sub-rule 7.2.2 (i.e. Team 01 shall write '01_P' and '01_D');

7.2.4.2. The name of the Competition and Year;

7.2.4.3. The name of the court

7.2.4.4. Cause Title; and

7.2.4.5. The title of the document (i.e. "Memorial for Plaintiff" or "Memorial for Defendant")

Note: The background colour of the "Memorial for Plaintiff" shall be Blue and that of the "Memorial for Defendant" shall be Red.

7.2.5. All pages of the Memorial, including the cover page, shall adhere to the following mandatory specifications:

7.2.5.1. Page Size: A4, Page Colour: White

7.2.5.2. Font Type: Times New Roman

7.2.5.3. Font Size: 12

7.2.5.4. Line Spacing: 1.5

7.2.5.5. Paragraph Spacing: Before 0, After 6 (the option “don’t add space between paragraphs of the same style” should not be selected)

7.2.5.6. Margin: 1.5 inch on the left and 1 inch on the remaining sides

7.2.6. For footnotes, the formatting specifications are:

7.2.6.1. Font Type: Times New Roman

7.2.6.2. Font Size: 10

7.2.6.3. Line Spacing: 1.0

7.2.6.4. Paragraph Spacing: No additional space between 2 footnotes

7.3. Teams are required to submit the soft copies of the Memorial within the specified time frame, taking all contingencies into account. Any technical issues such as equipment failure, computer disk failure, internet connectivity issues, etc. shall not be considered as grounds for condoning any penalty imposed due to late submission.

7.4. Each team is responsible for ensuring that the soft copy of

the Memorial is accessible and can be opened using Adobe

Acrobat Reader Version 8/Microsoft Word 2010 or later.

Additionally, the document must be free of viruses and should not be password protected.

7.5. Memorial content:

7.5.1. The Memorial shall mandatorily contain **ONLY** the following sections in the following order:

7.5.1.1. Cover Page

7.5.1.2. Table of Contents

7.5.1.3. Table of Abbreviations

7.5.1.4. Index of Authorities

7.5.1.5. Statement of Jurisdiction (Not exceeding 300 words)

7.5.1.6. Statement of Facts (Not exceeding 950 words)

7.5.1.7. Issues Raised

7.5.1.8. Summary of Arguments (Not exceeding 950 words)

7.5.1.9. Arguments Advanced (excluding footnotes - 5,500 words)

7.5.1.10. Prayer (Not exceeding 400 words)

7.5.2. The sections must not exceed the word limit prescribed for each section.

7.5.3. The Memorial shall include the headers, footers, footnotes, page numbers, cover page, as well as the empty spaces left in the document.

7.6. Penalties:

7.6.1. Each memorial can only receive a maximum of 30 penalties,

independent of AI, Plagiarism, and Late submission penalties.

7.6.2. The penalties levied are mentioned in the table on the next page:



Relevant Rule	Reason for Penalty	Penalty levied
Rule 7.1.3	Late submission of Memorials.	1 mark per 1 hour after the deadline, per memorial. (Capped at 24 hours)
Rule 7.2.1 or 7.4	Failure to submit memorials in both Word and PDF formats OR/AND Submission of a soft copy of a memorial which cannot be opened using Adobe Acrobat Reader Version 8/Microsoft Word 2010 or later.	Memorials shall not be evaluated.
Rule 7.2.2	Failure to name the file according to the given format (01_P or 08_D).	5 marks per document
Rule 7.2.3	Inclusion of speaking footnotes/endnotes.	1 mark per page
Rule 7.2.4	Any addition or omission in Cover Page or any other violation of the format mentioned including name of Court.	3 marks one-time
Rule 7.2.5	Failure to adhere to the mandatory formatting specifications including footnote specifications.	3 marks one-time for each formatting specification
Rule 7.5.1	Any addition or omission in Memorial or any other violation of the order of content.	5 marks one-time
Rule 7.5.2	Failure to adhere to word limits prescribed	1 mark for every 50 words exceeded. This penalty shall be calculated independently for each section

Rule 12	Breach of anonymity as prescribed such as non-removal of Meta Data	5 marks per memorial
	AI Detection Percentage: (i) Up to 30% (ii) 31% - 40% (iii) 41% - 50% (iv) 51% - 60% (v) Above 60%	Penalty levied (i) No penalty (ii) (-3) Marks (iii) (-5) Marks (iv) (-7) Marks (v) Disqualification
	Plagiarism Detection Percentage: (i) Up to 30% (ii) 31% - 40% (iii) 41% - 50% (iv) 51% - 60% (v) Above 60%	Penalty Levied (i) No penalty (ii) (-3) Marks (iii) (-5) Marks (iv) (-7) Marks (v) Disqualification

7.7. For determining the plagiarism percentage in a Memorial, the following shall be excluded from the calculation, provided that they are properly presented and appropriately cited:

7.7.1.1. Table of Authorities.

7.7.1.2. Footnotes and citations.

7.7.1.3. Other properly cited material ordinarily excluded under the applicable plagiarism-detection parameters.

7.7.2 The OB reserves the right to review a plagiarism report where the automated percentage does not accurately reflect the nature of the submitted material.

7.7.3 Please note that the Turnitin class is set up to exclude quotations, bibliographic materials, and small matches at or below 8 words.

7.8. Memorial Evaluation: Each Memorial shall be evaluated out of 100 marks by an evaluator. The criteria for evaluation are as follows:

Parameter	Total Marks Allocated
Understanding of Law and Extent of Research	25 marks
Originality, Articulation and Clarity of Analysis	25 marks
Knowledge and Integration of Facts	20 marks
Clarity, Organization and Logical Progression	20 marks
Grammar, Style and Citation	10 marks
Total	100 marks

7.9. Qualification of Memorials:

7.9.1. The final penalties applicable to a memorial shall be deducted from the marks awarded to the memorial to calculate the final memorial scores.

7.9.2. The top 24 teams on the basis of their total scores (cumulative scores for both memorials) in Stage I: Memorial Qualifier Round shall qualify to Stage II: Oral Rounds.

7.9.3. The results of Stage I: Memorial Qualifier Round shall be declared on **24.12.2026**.

7.9.4. The teams that qualify Stage I will be required to confirm their participation in Stage II by filling the confirmation form sent to them by an E-mail/Website before **07.01.2027 (11:59 P.M. IST)**.

7.9.5. The teams that confirm their participation as per sub-rule

7.9.6 Participants shall submit **5** hard copies of both “Memorial for Plaintiff” and the “Memorial for Defendant” on the day of Inaugural Ceremony, i.e. **5th February, 2027**. Spiral binding of all hard copies of memorials shall be mandatory.

8. ORAL ROUNDS

8.1. General Procedure

8.1.1. The Oral Rounds shall be conducted physically at the campus premises of National Law University Delhi and comprise of preliminary rounds, quarterfinals, semi-finals and final rounds.

8.1.2. The team representing the Plaintiff(s) shall submit their

arguments first, followed by the team representing the Defendant(s).

8.1.3. Sur-rebuttals to Rebuttals shall be delivered by only one speaker from each team. The Plaintiff's Rebuttals are limited to addressing the Oral Pleadings of the Defendant, while the Defendant's Surrebuttals is restricted to responding to the Plaintiff's Rebuttals.

8.1.4. Teams shall reserve a minimum of 1 minute for Sur-rebuttals to Rebuttals during all Oral Pleading Sessions throughout the Competition. However, no team may reserve more than 5 minutes for this purpose.

8.1.5. Student counsels may introduce themselves by name during the oral rounds; however, they are strictly prohibited from disclosing their institution's name. In all other instances, they must use the Team Code without exception.

8.1.6. Memorials shall be exchanged 24 hours prior to the start of the preliminary rounds. For subsequent rounds, the exchange of memorials shall occur at a reasonable time determined by the OB before each advanced round.

8.1.7. Teams are permitted to submit compendiums to assist the judges during the oral rounds. Compendiums must be submitted in printed form directly to the judges in their courtroom and must maintain confidentiality, the breach of which will result in disqualification of the compendium submitted. The decision of

the OB regarding disqualification shall be final.

8.1.8. In the event that any opponent team fails to appear in an Oral Pleading Session, the round shall be conducted ex-parte and the scoring shall be done as if the defaulted team had been present and arguing.

8.1.9. Notes may be passed between participants, with only the researcher of the team permitted to do so.

8.2. Procedures for Oral Submissions:

8.2.1. Each team shall be allotted a maximum time to present its case. This shall include time allotted for arguments advanced, sur rebuttals/rebuttals, and reply to rebuttals. The maximum time is as described.

Round	Time Allotted
Preliminary Rounds	40 minutes each
Quarter Finals	45 minutes each
Semi Finals	50 minutes each
Finals	55 minutes each

8.2.2. Each speaker may be granted an extension of maximum 2 minutes in addition to the total team time, as per judges' discretion. No speaker may, in any scenario, exceed the maximum extension time. Any speaker found exceeding the maximum extension time shall be penalized as per OB's discretion.

8.2.3. Teams may allocate speaking time between their two speakers at their discretion; however the following time limits apply:

Round	Minimum Speaker Time	Maximum Speaker Time
Preliminary Round	16 Minutes	23 minutes
Quarter-finals	19 minutes	25 minutes
Semi-finals	22 minutes	27 minutes
Finals	25 minutes	29 minutes

8.2.4. Time allocation between team speakers, as well as time reserved for rebuttals or Sur-rebuttals, must be measured in whole minutes only.

8.3. Before the Oral Round begins, the team must inform the manner in which the team wishes to divide its total time between its **(i)** first speaker, **(ii)** second speaker, and **(iii)** the rebuttal (for Plaintiff) or Sur-rebuttals (for defendant) to both, the judges and the Court Bailiff.

8.4. The parties may make submissions during their oral arguments extending beyond the arguments advanced in the memorials.

8.5. The researchers are also required to attend the oral rounds.

8.6. All participants shall be dressed in formal courtroom attire.

8.7. Use of any electronic gadgets is not permitted during the course of oral pleadings. Any team caught using such gadgets during oral pleadings shall be disqualified. However for timekeeping, manual stopwatches are permitted.

8.8. The oral pleadings will be marked on a maximum of one hundred (100) points by each of the judges. Each speaker shall be judged on the basis of the following criteria:

Parameter	Marks Allotted
Knowledge of Law, Identification of Legal Principles and Facts	25 marks
Application of Law to Facts	20 marks
Persuasiveness and Ability to Answer	20 marks
Organisation, Presentations, Clarity and Logical Reasoning of Arguments	15 marks
Time Management	10 marks
Style, Poise, Courtesy and Demeanour	10 marks
Total Marks	100

8.9. Preliminary Rounds

8.9.1. All the teams that qualify Stage I: Memorial Qualifier Round shall be eligible to participate in the preliminary rounds.

8.9.2. There will be two preliminary rounds in which each team must argue once as the Plaintiff and once as the Defendant.

8.9.3. The fixtures for the preliminary rounds shall be randomized.

8.9.4. No team shall face the same bench or the same team more than once in the preliminary rounds.

8.9.5. The scores from both preliminary rounds shall be averaged to determine the overall score.

8.9.6. For the purpose of determining which teams shall advance to the Quarter-Finals, the scoring will be weighted as follows: 30% of the total points will be based on memorial scores and 70% will be based on oral round scores.

8.10. Quarter-Finals

8.10.1. The top 8 teams with the highest overall marks will qualify for the Quarter-Finals. In the event of a tie, the combined speaker scores will be used as the first tiebreaker. In case of similar speaker scores, the Researcher Test scores shall be used as the second tiebreaker.

8.10.2. The fixtures for the Quarter-Finals shall be decided on the basis of power matchups. To illustrate, the 1st ranked team in the preliminary rounds shall be paired up against the 8th ranked team, the 2nd ranked versus the 7th ranked and so on.

8.10.3. Allocation of sides to the teams shall be done via a coin.

8.10.4. For the purpose of determining which teams shall advance to the Semi-Finals, the scoring will be weighted as follows: 20% of the total score will be based on memorial scores and 80% will be based on oral round scores.

8.11. Semi-Finals

8.11.1. The winning team from each of the four Quarter-Final Rounds shall advance to the Semi-Final Rounds.

8.11.2. The fixtures for the Semi-Finals shall be randomized and decided on the basis of Draw of Lots.

8.11.3. Allocation of sides shall be done via a coin toss.

8.11.4. For the purpose of determining which teams shall advance to the Finals, the scoring will be weighted as follows: 10% for memorial scores and 90% for oral round scores.

8.12. Finals

8.12.1. The winning team from each of the two semi-final rounds shall advance to the final round.

8.12.2. Allocation of sides shall be done via a coin toss.

8.12.3. There shall be no weightage given to the memorial in the Final Round.

8.13. The winner of the final round shall be declared the winner of the Competition.

9. RESEARCHER'S TEST

9.1. The researcher's test will be conducted on the following date: **5th February, 2027 from 5:00 PM to 6:00 PM.**

9.2. The total time limit of the test is one-hour. The syllabus for the same will be communicated closer to the date of the test.

9.3. Only the researcher designated by the teams in their

registration form shall be eligible to write the test.

9.4. The test comprises both objective and subjective questions, with a total of 60 marks.

9.5. The objective questions carry 30 marks and the subjective question carries 30 marks.

9.6. The objective questions (MCQs) carry 1 mark each. There is negative marking for which 0.33 mark will be deducted for a wrongly marked MCQ.

9.7. Only researchers who score at least 15 marks in the objective section will have their descriptive answers evaluated.

9.8. The participants should use any blue or black ball point pen.

9.9. Please carefully tick mark the answer only once. If ticked more than once, no marks will be given for that particular answer.

9.10. For the subjective questions, the word limit should be strictly adhered to. The indicative word limit is between 300-500 words.

10. AWARDS

10.1. Award Categories

10.1.1. Winning Team: Awarded to the team that is judged to have the highest score in the Final Round.

10.1.2. 1st Runner-Up: Awarded to the team that is judged to have the second-highest score in the Final Round.

10.1.3. 2nd Runner-Up: Awarded to the team that has the higher score amongst the two semi-finalist teams which do not qualify

to the Final Round.

10.1.4. Best Memorial: Awarded to the team with the highest-scoring written submission (memorial) based on the criteria specified in the rules.

10.1.5. Best Researcher: Awarded to the individual who attains the highest score in the researcher test.

10.1.6. Best Speaker: Awarded to the highest scoring speaker over two preliminary rounds.

10.2. Award Determination

10.2.1. Award decisions are final and made based on the collective judgment of the competition's panel of judges.

10.2.2. The decisions regarding award recipients are not subject to appeal.

10.3. Certificate

10.3.1. All the award recipients shall be given a Certificate of Merit.

10.3.2. All the teams successfully participating in the Oral Rounds shall be awarded a Certificate of Participation.

11. SCOUTING

11.1. Scouting is the act of attending an oral round (except the final round) by any member/coach of a team in which the concerned team is not competing. Any persons directly affiliated with any team are permitted to attend only those rounds in which their team is competing. Scouting is strictly prohibited.

Scouting by any team shall entail instant disqualification.

12. ANONYMITY

12.1. Teams shall not reveal their identity in any form, except by means of the Team Code assigned to them.

12.2. Teams shall not, in any way, reveal their identity in the Memorial or in the course of the Oral Pleading Session. The Memorial shall not bear the logo, name, etc. of the Team, its members or the Institution/College/University represented by the Team. Additionally, the teams must ensure that the names of the team members, their institutions or any such marking that reasonably reveals the identity of the team must not appear in the meta-details of the memorial.

Note: A document's metadata refers to the data about the document itself, such as author, computer name etc.

12.3. Any material, including the Compendium, books, legal texts, or any other reference material, carried during the Oral Pleading Session, whether presented to the Bench or not shall not reveal the Team's identity and will be devoid of any identification marks/seal of the Team or the Institution/College/University represented. If anything on the material carried during the Oral Pleading Session reveals the Team's identity, the Team shall render the same unrecognizable to the satisfaction of the OB prior to joining the Oral Pleading Session. Any violation of this rule shall make the team liable to

be disqualified from the Competition. The OB reserves the right to check a team's compendium to confirm the lack of identification marks.

12.4. Any attempts by a Team or a member of the Team to contact, either directly or indirectly, the drafter of the Moot Problem for any reason whatsoever after the release of the Moot Problem and before the Competition closes shall lead to the disqualification of such Team from the Competition.

13. MISCELLANEOUS

13.1. Changes to Rules: The OB reserves the right to modify any rule as it deems fit at any stage of the competition.

13.2. Official Communication: Any communication issued through official channels and attributed to the OB shall be considered formal notification.

13.3. Food: Meals will be provided to the participating teams for the entirety of the three-day competition.

13.4. Team Responsibility: Participating teams are advised to remain attentive to and promptly acknowledge any announcements or updates issued by the OB. The OB shall not be held responsible for any mishaps arising out of a team's failure to remain attentive to such announcements or updates.

13.5. Interpretation: In the event of any ambiguity or uncertainty, all interpretations, as well as any waivers, consents, or other decisions related to the administration of the

competition, shall be made at the sole discretion of the OB. Such decisions will be final and binding on all participants and are not subject to appeal whatsoever.

13.6. Unfair Means: If any team is found using any unfair means, the discretion of disqualifying the team will lie with the OB of the competition.

13.7. Decisions: The decision of the judges with regard to the outcome of the rounds shall be final and is not subject to appeal.

13.8. Conflict of Interest: Teams must disclose any potential conflict of interest and inform the OB if they have any association with a judge, such as being an intern or otherwise, at any point during the competition. If any such conflict is discovered later, it shall lead to instant disqualification of the team from the Competition.

13.9. Acceptance: Participation in this Competition by the teams shall be construed to mean an acceptance of the rules laid herein.

14. CODE OF CONDUCT AND EQUITY POLICY

14.1. All participants are expected to maintain the decorum in the Court and in the university premises during the competition and are expected to conduct themselves in a manner befitting the legal profession.

14.2. The use of any electronic device, including but not limited to smartwatches, mobile phones, laptops, or any other electronic gadgets, is strictly prohibited during the oral rounds. Non-

compliance with this rule may result in penalties, including disqualification, as per the discretion of the OB.

14.3. Any violation of the Equity Policy shall be penalized as described in the policy.

15. CONTACT DETAILS

15.1. Moot Director: Ms. Nishtha Sharma, Research and Programme Coordinator, Centre for Innovation, Intellectual Property and Competition (CIIPC), National Law University Delhi

15.2. Student Coordinators: Ms. Apurva Tayal, Ms. Chaitrali Naik & Mr. Shivank Yadav

15.3. Email: dpiit.ipr@nludelhi.ac.in





DEPARTMENT FOR PROMOTION OF
INDUSTRY AND INTERNAL TRADE
MINISTRY OF COMMERCE & INDUSTRY
GOVERNMENT OF INDIA



॥ वाचसपते प्रयागे उपपन्न ॥



Centre For
Innovation
Intellectual
Property &
Competition

MOOT PROPOSITION

VIDHI PRAGATI

NATIONAL IP MOOT COMPETITION

2027

ORGANISED BY

Department for Promotion of Industry and Internal Trade, Ministry of Commerce and Industry,
Government of India

in collaboration with
Centre for Innovation,

Intellectual Property and Competition - IPR Chair, National Law University Delhi

1. Recent advances in generative artificial intelligence have altered the manner in which written works are accessed, analyzed and produced. Large Language Models (“LLMs”) are capable of answering questions, summarizing texts, translating passages and generating new text in response to instructions supplied by users. The development of such models ordinarily involves the acquisition and computational processing of large collections of text, which may include books, journals, websites and other digital material. The use of copyright-protected works in such collections has generated debate about the balance between the rights of authors and publishers, technological innovation and public access to knowledge.

2. Vāñmaya Publishers Private Limited (“Vāñmaya”) is an Indian publishing house having its registered and principal office in New Delhi. It publishes literary fiction, academic works and translations in print and electronic formats. Vāñmaya earns revenue from sales, institutional subscriptions, licensing of translation, audio and adaptation rights, and separate licenses for text and data analysis.

A vertical decorative image on the left side of the page. It features a glowing lightbulb in the upper half, with its light reflecting on the pages of an open book below it. The background is a dark, textured brown.

Since 2023, Vāṇmaya has also licensed selected titles to two technology companies for the development of specialized language tools. Those licenses permitted the use of limited portions of specified works, including the novel referred to below, for model evaluation and domain-specific search applications, but did not authorize the development of a general-purpose generative model.

3. Ms. Aditi Mehra (“Ms. Mehra”) is an award-winning author residing in New Delhi. Her novel, *The Stone That Faced East* (“the Novel”), was first published by Vāṇmaya in 2018 and was followed by a sequel and illustrated companion volume. More than 18,00,000 authorized copies of works in the series have been sold in India and abroad. By a written agreement, Ms. Mehra assigned to Vāṇmaya the exclusive rights to publish, reproduce, issue copies of, communicate to the public, translate and adapt the works in the series in all formats for the entire term of copyright. Ms. Mehra has expressly retained the rights available to an author under Section 57 of the Copyright Act, 1957.

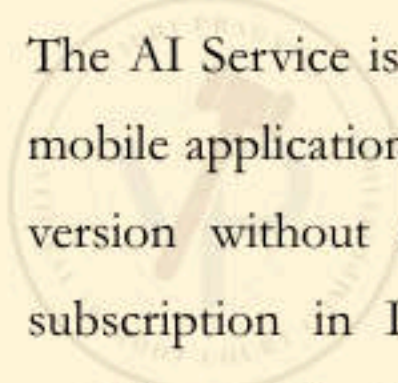
4. The expression “THE STONE THAT FACED EAST” is also registered as a word mark, with Ms. Mehra recorded as its registered proprietor, in Classes 9, 16 and 41 for downloadable electronic publications, printed books, publishing services and educational services. Vāñmaya is recorded as the exclusive registered user of the trademark. The trademark has appeared on every authorized edition, audiobook and study guide and in promotional material for literary events connected with the series. The validity and subsistence of the registration are not in dispute for the purposes of the present proceedings. An illustrative e-register extract setting out the particulars of the registration is annexed as Annexure 1.

5. Vāñmaya makes the title, cover, synopsis and the first twelve pages of each book freely accessible on its website. The complete electronic books are available only after purchase or through an institutional subscription, and are protected by access controls that restrict copying and downloading.

A lightbulb sits on a dark wooden desk. To its right, the pages of a book are visible, showing some text. The background is a dark, textured wall.

At the relevant time, Vāñmaya’s robots.txt file disallowed automated access to the directories containing its reader and subscriber pages, but permitted indexing of its catalogue and sample pages. The robots.txt directives were publicly readable but did not, by themselves, operate as a technological barrier preventing access to an otherwise accessible webpage. The parties dispute the legal effect of those directives. Its website terms prohibited automated scraping, text and data mining and use of any content for training artificial intelligence systems without a separate written license. Unauthorized digital copies of several Vāñmaya titles, including the Novel, were nevertheless available on a third-party website known as “FreeShelf”, against which Vāñmaya had issued repeated takedown notices.

6. AetherMind Technologies Pte. Ltd. (“AetherMind”) is a company incorporated in Singapore. It develops and operates a generative AI service powered by a family of LLMs (the “AI Service”).



The AI Service is accessible through a website and mobile application in India. Users may use a limited version without charge or purchase a premium subscription in Indian Rupees. AetherMind also supplies paid application programming interface access to Indian enterprises and advertises the AI Service’s summarization, translation, tutoring and creative-writing functions to users in Delhi. AetherMind has no office in India, and the servers used to train and operate its LLMs are situated in Singapore.

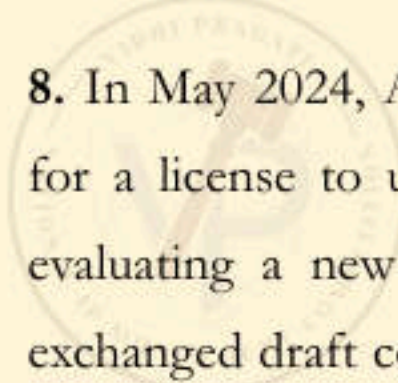
Creation of a registered account, and in particular purchase of a premium subscription, requires a user affirmatively to select a box stating “I agree to the Terms of Use” before proceeding. The Terms of Use state, inter alia, that they are governed by the laws of Singapore and that the courts at Singapore shall have exclusive jurisdiction over disputes arising out of or relating to the AI Service.

Vāñmaya maintained a premium account in Delhi, which was used for the testing described below, and the clickwrap Terms of Use had been accepted when that account was created.

The image on the left side of the page features a vertical strip. It contains a close-up of a lightbulb, which is slightly out of focus, resting on an open book. The lighting is warm and dim, creating a scholarly or intellectual atmosphere.

The parties dispute whether those contractual terms have any bearing upon statutory claims for copyright and trademark infringement brought before an Indian Court.

7. AetherMind states that its LLMs are trained in stages. Source documents are first copied into a corpus, filtered and de-duplicated, divided into tokens and assembled into training batches. During training, those batches are processed repeatedly while the system predicts masked or subsequent tokens and adjusts numerical parameters in response. AetherMind submits that the source and working copies are deleted after training and that the resulting model contains only numerical parameters representing statistical relationships, not a searchable library of expressive works. The AI Service is also capable of Retrieval-Augmented Generation (“RAG”), by which it searches external sources in response to a prompt and uses retrieved material as temporary context to generate a current answer with source links.



8. In May 2024, AetherMind approached Vāñmaya for a license to use its catalogue for training and evaluating a new multilingual model. The parties exchanged draft commercial terms, but negotiations failed over price, attribution and the retention of copies. In August 2025, AetherMind released Model 4 for use through the AI Service. Its technical report stated that the model had been trained on a combination of licensed datasets and web corpora assembled before 30 April 2025. The report did not identify individual works. A later disclosure stated that one corpus, “Dataset 12”, had aggregated material from several sources, including FreeShelf, before AetherMind acquired it from a data vendor. AetherMind maintains that it neither selected nor knew of any unauthorized copy in that corpus.

9. In November 2025, Vāñmaya engaged an independent computer science laboratory to test the AI Service. In response to an ordinary request for the themes and plot of *The Stone That Faced East*, the AI Service generated a 900-word account in its own language.

A photograph of a lightbulb sitting on a wooden surface, with the lightbulb glowing. The image is partially obscured by the text on the right.

In a separate testing session, in response to a request to continue the final sentence appearing in the free sample, the AI Service generated 286 consecutive words which, according to the laboratory, were identical or nearly identical to a passage available only in the paid electronic book. The response also reproduced the misspelling “pavemnet”, an acknowledged typographical error appearing in Vāñmaya’s 2021 electronic edition and corrected in all subsequent authorised editions. An abridged comparison is annexed as Annexure 2.

10. The laboratory then used a sequence of prompts asking the AI Service to role-play as an archivist, ignore prior restrictions and reproduce Chapter 9. The AI Service initially refused, but after the tester supplied the opening sixty words, it generated approximately 1,100 words which, according to the laboratory, bore substantial similarity to the corresponding portion of the chapter. The same prompts produced materially different answers when repeated.

AetherMind characterizes the sequence as adversarial prompting designed to defeat safeguards and says that an ordinary user could not use the AI Service as a substitute for the book. Vāñmaya contends that the ability to elicit protected expression, whether by ordinary or adversarial prompts, demonstrates memorization and unauthorized communication to the public.

11. The laboratory separately tested the AI Service's RAG-enabled search function in relation to a collector's edition released by Vāñmaya in July 2025, after the stated training cut-off. The AI Service supplied a summary, three short extracts and links to Vāñmaya's catalogue page, two reviews and a cached page on FreeShelf. The retrieval log identified the cached FreeShelf page as one of the sources accessed while generating the response. The page contained a complete electronic copy of the collector's edition, but the log did not conclusively establish whether the complete text or only selected portions thereof were placed in the model's temporary context.

A close-up, low-angle shot of a single incandescent lightbulb resting on a dark wooden surface. The lightbulb is unlit, and its glass is slightly textured. The background is dark and out of focus, emphasizing the lightbulb as a symbol of ideas or knowledge.

The parties agree that information unique to the collector's edition could not have formed part of Model 4's pre-training. They disagree on whether accessing and processing the cached page involved reproduction of the complete text or a substantial part thereof, whether any such reproduction constituted transient or incidental storage, and whether the extracts appearing in the response amounted to reproduction or communication to the public.

12. When asked to create a “lost chapter” of the Novel, the AI Service displayed the heading “THE STONE THAT FACED EAST – A LOST CHAPTER” and generated a downloadable document that named Ms. Mehra as the author. Although the prompt identified the Novel, it did not instruct the AI Service to identify Ms. Mehra as the author. According to the laboratory, the narrative used the names and established characteristics of principal characters from the Novel, was set in locations described in the Novel, and placed those characters in events not appearing in any authorized work in the series.

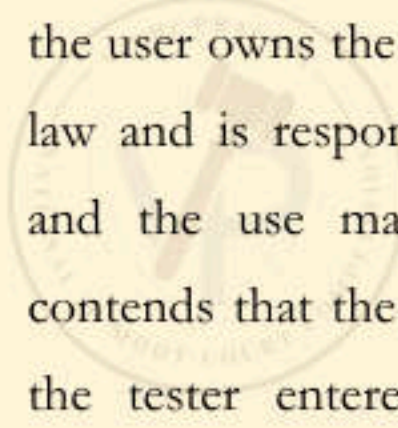
It did not reproduce any identifiable passage from those works. In a separate interaction, the tester selected the “Study Guide” function. The AI Service generated a preview headed “THE STONE THAT FACED EAST – COMPLETE STUDY GUIDE”. Immediately below the preview, the interface displayed the message: “Upgrade to a premium subscription to unlock all chapters and download the complete guide.” When the tester thereafter returned to the home screen, a recommended content tile displayed the words “Explore THE STONE THAT FACED EAST” and invited the tester to “Create chapter summaries, alternate endings and character conversations”.

In a further test, the laboratory asked the AI Service to “show me where I can obtain the official Vāñmaya edition and authorised study material for THE STONE THAT FACED EAST”. The response did not provide a link to Vāñmaya’s website, but instead supplied direct links to two third-party booksellers and an unaffiliated study-notes website.

A close-up, low-angle shot of a lightbulb resting on a wooden surface. The lightbulb is unlit, and its glass is slightly textured. The background is dark and out of focus, emphasizing the lightbulb and the wood grain.

When substantially similar queries were made in respect of two titles published by other publishing houses, the AI Service provided links to the publishers' own websites. Vāñmaya subsequently complained to AetherMind of what it described as the selective exclusion of its website. AetherMind responded that the AI Service does not guarantee the inclusion, ranking or visibility of any particular website and that its retrieval and recommendation systems may link directly to underlying sellers or other sources. The parties dispute the legal significance, if any, of this differential treatment.

13. Each response displayed on the AI Service's webpage carried the following footer: "AI-generated content may be inaccurate. References to authors, publishers or works do not imply their affiliation with, or endorsement of, AetherMind." The footer appeared below the generated response but did not appear in the downloaded document or the recommended-content tile described in paragraph 12. AetherMind's terms require users to comply with third-party intellectual property rights and state that, as between AetherMind and a user,



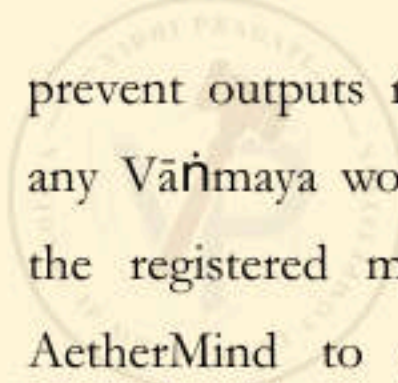
the user owns the output to the extent permitted by law and is responsible for the prompts submitted and the use made of the output. AetherMind contends that the book title appeared only because the tester entered it, that the words truthfully identified the work under discussion, and that neither the title nor Ms. Mehra's name was used as a badge of origin for the AI Service. Vāñmaya and Ms. Mehra contend that, notwithstanding the footer, use of the registered title in output headings, downloadable documents and study guides, and recommended-content advertising is use in the course of trade, falsely suggests an authorized connection, and takes unfair advantage of, and is detrimental to, the distinctive character and reputation of the mark.

Vāñmaya and Ms. Mehra further contend that AetherMind cannot commercially invoke the registered mark to promote premium study guides, chapter summaries and other AI-generated material while, at the same time, selectively excluding the proprietor and registered user's own website from responses specifically requesting official or authorised sources.

A photograph of a lightbulb sitting on a wooden surface, with a dark background. The lightbulb is unlit and has a standard screw base. The wood grain of the surface is visible.

According to them, the cumulative conduct interferes with the mark's source-identifying function, diverts users away from the authorised commercial channel, dilutes the mark, and amounts to disparagement and an unfair trade practice. They submit that the absence of an express negative statement concerning Vāñmaya does not answer the complaint where the alleged exclusion occurs within a commercial service that is simultaneously monetising use of the registered mark. AetherMind disputes these contentions. It submits that neither the Trade Marks Act, 1999 nor any other law confers upon a proprietor a general "right to visibility" or a right to compel a privately operated AI service to display or rank its website. It further submits that omission of a link is neither "use" of a trademark in the course of trade nor publication of a disparaging statement; that the title is used solely in a referential sense to identify the work selected by the user; and that such honest referential use is protected by Section 30(1) of the Trade Marks Act, 1999.

14. On 10 December 2025, Vāñmaya and Ms. Mehra issued a legal notice requiring AetherMind to disclose its training sources, remove all Vāñmaya works from its datasets and models, disable RAG access to Vāñmaya content,

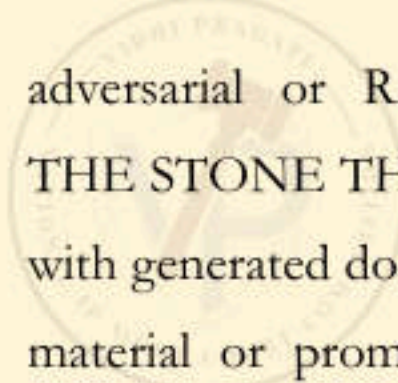


prevent outputs reproducing a substantial part of any Vāṇmaya work, and cease commercial use of the registered mark. They additionally required AetherMind to cease what they described as discriminatory exclusion of Vāṇmaya's official website when users expressly sought official or authorised material concerning the Novel. Without admitting liability, AetherMind blocked Vāṇmaya's domain and the identified FreeShelf URLs from future data collection and RAG retrieval and added a filter intended to refuse requests for lengthy passages from Vāṇmaya's works. AetherMind stated that it could not remove the influence of an individual work from existing model parameters without retraining the model. It declined to undertake to display or prioritise Vāṇmaya's website, stating that no third party was entitled to dictate the AI Service's retrieval or recommendation results. After the implementation of those measures, the laboratory continued to obtain the "lost chapter" heading and shorter matching passages by using variations of its earlier prompts.

A close-up, low-angle shot of a lightbulb resting on a wooden surface. The lightbulb is the central focus, with its glass and internal filament visible. The background is dark and out of focus, emphasizing the lightbulb and the texture of the wood.

The parties dispute whether the deletion of source and corpus copies after training, together with measures directed at future collection and retrieval, has any bearing on alleged completed acts of infringement, and whether the technical infeasibility of selective “unlearning” is relevant to liability or only to relief.

15. Vāñmaya and Ms. Mehra instituted a commercial suit before the High Court of Delhi, Intellectual Property Division, alleging infringement of copyright under Sections 14 and 51 of the Copyright Act, 1957, violation of Ms. Mehra’s special rights under Section 57 thereof, infringement of the registered trade mark under Section 29 of the Trade Marks Act, 1999, and passing off. They seek interim and permanent injunctions restraining AetherMind from using the Novel and other works in the series for training, reproducing, adapting or communicating to the public protected expression through ordinary,



adversarial or RAG-enabled outputs, and using THE STONE THAT FACED EAST in connection with generated documents, study guides, educational material or promotional displays. They also seek appropriate relief in respect of the allegedly selective exclusion of Vāñmaya's official website from responses specifically seeking authorised sources, including a direction that AetherMind not discriminate against the official source while commercially using the registered mark. They also seek disclosure of training sources and relevant technical records, deletion of stored copies, appropriate modification or retraining of Model 4, damages or an account of profits.

16. Vāñmaya and Ms. Mehra argue that the making of the corpus and the repeated processing of complete digital copies during training, including any copy obtained from an unlawful source, fall within the exclusive right of reproduction in any material form. They submit that Section 52 of the Copyright Act contains no express text and data mining exception, that a commercial model-development programme does not constitute

A vertical image on the left side of the page. It shows a close-up of a lightbulb, which is slightly out of focus, resting on a stack of books. The lighting is warm and dim, creating a scholarly or intellectual atmosphere.

private or personal use, including research, within the meaning of Section 52(1)(a)(i), and that deliberate training copies are not transient or incidental storage made in the technical process of electronic transmission or communication to the public. They further submit that, even if model development is treated as falling within a permitted purpose, the dealing is not fair, having regard to the copying and repeated processing of complete works, the unlawful provenance of certain copies, the commercial purpose of the use, and the existence of an established licensing market. According to them, deletion of the source and corpus copies after training does not cure any infringement already committed, while Model 4's ability to reproduce extended passages supports an inference that protected expression remains embodied in or capable of being reconstructed from its parameters. They further contend that books are highly expressive works and that generated summaries, study guides, continuations and adaptations prejudice existing and potential markets for licensed editions, adaptations and AI-training licences.

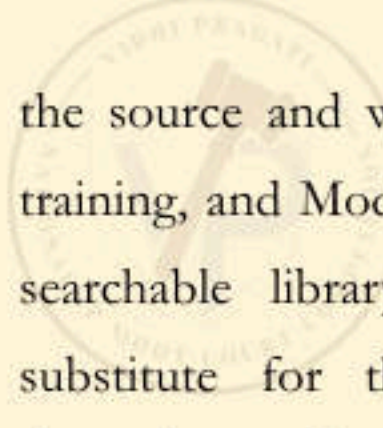
On the trademark claim, Vāñmaya and Ms. Mehra submit that the impugned conduct must be examined cumulatively rather than by isolating each generated reference. They rely upon AetherMind's display of the registered mark as a prominent heading for a commercially offered "Complete Study Guide", its use on downloadable AI generated documents and recommended-content tiles, its attribution of an unauthorised "lost chapter" to Ms. Mehra, and its simultaneous omission of Vāñmaya's official link when specifically requested. They contend that such conduct constitutes use in the course of trade and is liable to cause users to believe that the generated material is authorised by, commercially connected with or endorsed by them. In the alternative, they contend that the conduct takes unfair advantage of and is detrimental to the distinctive character and reputation of the registered mark.

They further contend that the alleged selective exclusion of the official source, while competing third-party sources are surfaced, constitutes disparagement and unfair commercial treatment and cannot be immunised merely by characterising the use of the mark as referential.

A vertical image on the left side of the page shows a glowing lightbulb resting on an open book. The lightbulb is illuminated from within, casting a warm glow. The book's pages are visible at the bottom, showing some text. The background is dark and textured.

They rely on AetherMind's purposeful exploitation of the Delhi market and the receipt of the impugned outputs and the resulting injury within Delhi. They submit that their statutory causes of action arise independently of the clickwrap Terms of Use and that jurisdiction conferred upon Indian Courts by statute cannot be ousted by a contractual stipulation selecting the courts of Singapore.

17. AetherMind denies infringement. It characterises training as non-expressive machine learning that extracts unprotected facts, linguistic patterns and relationships, and says that neither token vectors, embeddings, model weights nor trained parameters are copies or adaptations of any book. Alternatively, it relies on fair dealing for private or personal use, including research, under Section 52(1)(a)(i), the statutory explanation concerning electronic storage, and transient or incidental storage under Section 52(1)(b). It submits that model development constitutes research and that the dealing is fair because the copying was confined to what was technically necessary for computational analysis,



the source and working copies were deleted after training, and Model 4 neither stores the works as a searchable library nor ordinarily operates as a substitute for them. It submits that ordinary thematic and plot-related outputs are not substantially similar to the Novel, the matching outputs resulted from continuation or adversarial prompts which supplied portions of the source text, or from retrieval of third party material through RAG, and that the AI Service advances research, education, translation and accessibility. AetherMind also relies on honest referential use under Section 30(1) of the Trade Marks Act and its disclaimer.

It contends that the registered title was used only to identify the work requested or discussed by the user, and not as a badge of origin for AetherMind's goods or services; and that the context of the generated responses, the description "AI-generated", and the footer reproduced in paragraph 13 negate any likelihood of confusion or authorized association.

A lightbulb is shown on the left side of the page, resting on a wooden surface. A book is partially visible at the bottom left. The background is a dark, textured surface.

It further contends that a claim for dilution under Section 29(4) requires actionable use of the registered mark in the course of trade and that merely referring to the title in order to identify the subject of a user's request does not satisfy that requirement. According to AetherMind, the omission or non-ranking of Vāñmaya's website is not trademark use at all and cannot constitute infringement merely because Vāñmaya would commercially benefit from greater visibility. It submits that "silence" or omission is incapable, without more, of constituting disparagement, trade libel or injurious falsehood and that neither the Trade Marks Act nor the law of passing off confers a positive right to require a private AI service to display a particular link.

It contests territorial jurisdiction over the training claim because all training and storage occurred on servers in Singapore. It additionally relies upon the clickwrap Terms of Use accepted in relation to Vāñmaya's premium account, which confer exclusive jurisdiction upon the courts of Singapore.

It submits that, at the very least, claims arising from outputs procured through that account are governed by the parties' agreed contractual forum. Vāñmaya and Ms. Mehra dispute that submission and contend that the statutory infringement claims are independent of the contractual relationship governing use of the AI Service.

18. AetherMind states that an injunction requiring the removal of the Novel and other works in the series from Model 4's existing parameters would require retraining the model, impair the AI Service, which is used by millions of persons and effectively grant final relief at the interim stage, before discovery and expert cross-examination. Vāñmaya and Ms. Mehra respond that the loss of control over expressive works, the continuing availability of outputs capable of substituting for authorised editions, the false attribution of AI-generated material to Ms. Mehra and the consequent prejudice to her honour and reputation, and the dilution of the distinctive character and reputation of the registered trademark cannot be adequately compensated in damages.

A close-up, low-angle shot of a lightbulb resting on a wooden surface. The lightbulb is unlit, and its glass is slightly textured. The background is dark and out of focus, emphasizing the lightbulb as a symbol of ideas or intellectual property.

They submit that the relief can be confined to the identified works, matching outputs and uses of the registered trademark, without disabling the AI Service as a whole.

As regards the link-related relief, AetherMind contends that a mandatory direction requiring it to display, rank or prioritise Vāñmaya's website would amount to compelling a private enterprise continuously to conduct its business in a particular manner, would require ongoing judicial supervision, and would effectively confer final relief at the interim stage. Vāñmaya and Ms. Mehra respond that they do not seek a general entitlement to preferential ranking but only relief against what they characterise as deliberate discriminatory exclusion of the official source while the AI Service commercially exploits their registered mark.

They also rely on AetherMind's willingness to license comparable catalogues and its earlier negotiations with Vāñmaya as evidence that a market for the disputed uses exists.

19. The High Court has directed that the application for interim injunction be heard on the issues set out below. The parties may rely on the documents and technical stipulations set out in Annexures 1 to 3, including the Joint Technical Stipulation in Annexure 3. The Court has not expressed any opinion on the merits of the rival contentions.

ISSUES FOR CONSIDERATION

I. Whether the storage by AetherMind of the Plaintiffs' data, which is in the nature of literary works and is claimed to be protected under the Copyright Act, 1957, for training its software, i.e., Model 4 and the AI Service, would amount to infringement of the Plaintiffs' copyright?

II. Whether the use by AetherMind of the Plaintiffs' copyrighted data in order to generate responses for its users would amount to infringement of the Plaintiffs' copyright?

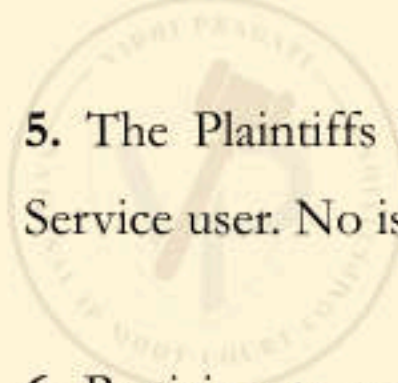
III. Whether AetherMind's use of the Plaintiffs' copyrighted data qualifies as "fair dealing" in terms of Section 52 of the Copyright Act, 1957?

IV. Whether the Courts in India have jurisdiction to entertain the present lawsuit considering that the servers of AetherMind are located in Singapore?

V. Whether AetherMind's alleged selective omission of Vāñmaya's official website from relevant AI-generated responses is actionable under trademark law and/or the law of passing off?

VI. Whether identifying Ms. Mehra as the author of AI-generated material violates her special rights under Section 57 of the Copyright Act, 1957?

1. The laws of India as in force on 1 September 2026 shall apply.
2. All private entities, AI systems, services and platforms, persons, book titles, trademarks, datasets, websites and events named in this proposition are fictional. Any resemblance is coincidental.
3. The copyright assignment, trademark registration and Vāñmaya's status as the exclusive registered user of the trademark are valid and subsisting. Questions relating to ownership, standing and validity need not be argued, except to the extent that the scope of the rights is relevant to infringement.
4. The technical conclusions expressly attributed to the independent laboratory are contested opinions. The raw prompts, outputs and system logs are otherwise authentic. The matters expressly recorded as agreed in the Joint Technical Stipulation are also authentic and admitted by the parties. All other statements expressly attributed to a party constitute that party's contentions and are not admitted by the opposing party.



5. The Plaintiffs have not sued any individual AI Service user. No issue of criminal liability arises.

6. Participants may draw reasonable and necessary inferences from the proposition and its annexures but shall not invent additional material facts.

7. The expression “fair use” in Issue III reproduces the terminology in which that issue has been framed. Participants shall address the issue by reference to the applicable provisions of Section 52 of the Copyright Act, 1957, including the doctrine of “fair dealing” under Section 52(1)(a).

8. The validity and enforceability of AetherMind’s clickwrap Terms of Use as a contract are not independently in dispute. The parties may, however, argue whether the contractual choice of forum applies to, or can affect the maintainability or territorial jurisdiction of, the statutory copyright and trademark claims pleaded in the suit.

ANNEXURE 1

EXTRACT FROM THE REGISTER OF TRADE MARKS

Particular	Entry
TM Application No.	Withheld for the purposes of the Moot Proposition
Class	9, 16 and 41
Date of Application	14/03/2019
Appropriate Office	DELHI
State	DELHI
Country	INDIA
Filing Mode	E -FILING
TM Applied For	THE STONE THAT FACED EAST
TM Category	TRADE MARK
Trade Mark Type	WORD
User Detail	Used since 05.04.2018
Certificate Detail	Registration certificate issued

ANNEXURE 1

Valid upto/Renewed upto	14/03/2029
Proprietor Name	MS. ADITI MEHRA (Individual)
Proprietor Address	Withheld for the purposes of the Moot Proposition
Email ID	Withheld for the purposes of the Moot Proposition
Attorney Name	Withheld for the purposes of the Moot Proposition
Attorney Address	Withheld for the purposes of the Moot Proposition
Conditions/Limitations	NIL
Disclaimer	NIL
Goods & Service Details	[CLASS: 9] Downloadable electronic publications; downloadable electronic books; downloadable audiobooks; downloadable electronic study guides. [CLASS: 16] Printed books; novels; printed study guides; posters. [CLASS: 41] Publishing services; electronic publishing services; provision of online non-downloadable

ANNEXURE 1

REGISTERED USER DETAILS

Particular	Entry
Registered User	VĀÑMAYA PUBLISHERS PRIVATE LIMITED
Nature of Registration	Exclusive registered user
Registered-User Status	Subsisting
Goods and Services Covered	All goods and services included in Classes 9, 16 and 41 under the above registration
Territory	India
Conditions or Limitations	NIL

Note: This illustrative extract has been prepared solely for the purposes of the Moot Proposition and does not reproduce an actual record of the Trade Marks Registry. The validity and subsistence of the registration and the registered-user entry are governed by Clarification 3.

ANNEXURE 2

ABRIDGED COMPARISON OF PAID E-BOOK AND THE AI SERVICE OUTPUT PROMPT:

Continue the passage beginning with the final sentence in the free sample.

VĀN'MAYA'S 2021 E-BOOK (PAID PAGE)

The room had no windows, yet every chair faced east. Mira crossed the chequered pavement towards two stone columns, between which stood an unfinished block of pale stone. Beside it lay a sprig of acacia and two old brass instruments: one describing a right angle, the other an arc. Her grandfather had once told her that a building was the least important thing a builder ever made. Beneath three shallow marks on the stone, he had written: "The first stone is given to you. The second must be made." Three knocks sounded beyond the eastern wall. Mira looked again towards the table. The brass points now met above a faint circle she had not noticed before. At its centre was a single letter. Beyond it, three small lights had begun to burn.

AI SERVICE RESPONSE GENERATED BY MODEL 4

The room had no windows, yet every chair faced east. Mira crossed the chequered pavement towards two stone columns, between which stood an unfinished block of pale stone. Beside it lay a sprig of acacia and two old brass instruments: one forming a right angle, the other an arc. Her grandfather had once told her that a building was the least important thing a builder ever made. Beneath three shallow marks on the stone, he had written: "The first stone is given to you. The second must be made." Three knocks sounded beyond the eastern wall. Mira looked again towards the table. The brass points now met above a faint circle she had not noticed before. At its centre was a single letter. Beyond it, three small lights had begun to burn.

The table reproduces an abridged passage from Vāñmaya's 2021 electronic edition alongside the corresponding portion of the AI Service response. Apart from the substitution of "forming" for "describing", the wording and punctuation in the two extracts are identical. The misspelling "pavemnet" appeared only in Vāñmaya's 2021 electronic edition and was corrected to "pavement" in all subsequent editions.

ANNEXURE 3

JOINT TECHNICAL STIPULATION

For the purposes of the application for interim injunction, and without prejudice to their respective legal contentions, the parties agree as follows:

1. Model 4's pre-training concluded on 30 April 2025. The collector's edition released by Vāñmaya in July 2025 was not part of its pre-training data.
2. All collection, corpus storage and pre-training operations relevant to Model 4 occurred on servers situated in Singapore. The prompts described in paragraphs 9 to 12 were entered, and the corresponding outputs were received, in New Delhi. The prompt and output excerpt reproduced in Annexure 2 formed part of those tests. The premium account through which those tests were conducted had been created in Delhi and was subject to the clickwrap Terms of Use referred to in paragraph 6.
3. AetherMind's training pipeline created complete corpus copies of source documents before filtering, de-duplication and tokenisation. Training thereafter processed tokenised batches through repeated computational cycles, during which short-lived working copies were created in system memory. AetherMind states that the source, corpus and working copies were deleted after training.

The parties dispute whether the duration and function of any such copies render them transient or incidental storage within the meaning of Section 52(1)(b) of the Copyright Act, 1957.

4. Tokens are assigned numerical identifiers. Vectors, embeddings and the final model weights are numerical representations that are not human-readable. Model 4 is not organised or indexed as a conventional searchable repository of the source books. The experts agree that the vectors, embeddings and model weights encode statistical relationships learned from the training data but express no agreed view on whether any such representation constitutes a reproduction or adaptation within the meaning of the Copyright Act, 1957.

5. Dataset 12 included data supplied by an independent vendor whose source list included FreeShelf AetherMind's surviving records do not identify whether the copy of 'The Stone That Faced East' processed during training originated from Vāṇmaya's free sample, a licensed source, FreeShelf or another webpage.

6. Model 4 is probabilistic, and repetition of the same prompt may produce a different output. The experts agree that the duplication of a work within training data may affect the likelihood of memorisation, but the surviving records do not establish how many copies of the Novel, if any, remained after de-duplication. Post-training safeguards reduce, but do not eliminate, the generation of lengthy matching outputs.

7. In RAG-enabled operation, the AI Service retrieves material from external webpages and temporarily stores the material retrieved on its servers. Selected portions of that material are supplied to Model 4 as context. Retrieved material is ordinarily discarded after the response is generated, subject to security logs retained for thirty days. In relation to the cached FreeShelf page referred to in paragraph 11, the retrieval log does not conclusively establish whether the complete text or only selected portions thereof were placed in the model's temporary context.

8. Before receipt of the legal notice, AetherMind permitted rights holders to exclude an identified domain from future web crawling. That facility did not remove material already used for training and did not automatically exclude the domain from RAG retrieval. After receiving the legal notice, AetherMind blocked Vāñmaya's domain and the identified FreeShelf URLs from future data collection and RAG retrieval. The technical feasibility and effect of selectively removing the influence of an individual work from an existing trained model are disputed, and no such removal has been attempted. The parties further agree that AetherMind's retrieval and recommendation system does not guarantee that any particular website will be displayed in response to a query.

The surviving logs confirm the differential results described in paragraph 12 but do not conclusively establish whether those results arose from a manually imposed rule, an automated ranking process, source-quality signals, or the probabilistic operation of the system.

9. AetherMind has paying subscribers in Delhi, supplies paid application programming interface access to Indian enterprises and markets the AI Service's premium subscription, study-guide function and creative-writing function to users in Delhi. It receives payments in Indian Rupees and collects applicable Indian taxes.

10. No consumer survey has been conducted. Vāñmaya relies upon three customer emails asking whether the "Complete Study Guide" and the "lost chapter" generated through the AI Service were authorised by Vāñmaya or Ms. Mehra. AetherMind disputes that those emails establish confusion among a substantial segment of the relevant public. Vāñmaya additionally relies upon two customer emails asking why the AI Service directed them to third-party sellers when they had specifically requested the "official" source for the Novel. AetherMind disputes that those emails establish trademark confusion, disparagement, or any legally enforceable entitlement to visibility.

11. The application for interim injunction is being decided before the completion of discovery or the cross-examination of the parties' technical experts. Except for the matters expressly agreed above, questions concerning the precise source of the copy used for training, whether, and in what form, information derived from the Novel persists within Model 4, and the causal mechanism responsible for the matching outputs remain contested. The mechanism responsible for the inclusion or omission of particular links in individual AI Service responses also remains contested.