

UNIVERSITY OF COLOMBO, SRI LANKA

FACULTY OF LAW

DEGREE OF MASTER OF LAWS BY COURSEWORK - 2023/24

2nd SEMESTER END EXAMINATION

Developments in Property Law - TLLM 1239

(Three Hours)

Total number of questions: 04

Answer any **Three** questions

(Candidates will be penalized for illegible handwriting)

1. The historical evolution of property law has shaped our understanding of property in terms of both physical assets and associated rights, leading to varied approaches to resolving related disputes in legal systems.

Do you agree? Critically analyze, giving reasons for your answer.

(20 Marks)

2. "Parts of a corpse are capable of being property within s. 4 of the Theft Act if they have acquired different attributes by virtue of the application of skill, such as dissection or preservation techniques, for exhibition or teaching purposes"

Year worth et al. v. North Bristol NHS Trust [2009] 2 All E.R. 986 (CA).

Critically analyze the above statement, examining the role of human biomaterials in the context of property law.

(20 Marks)

3. Ma Recipes Ltd. is a company that publishes a series of cookbooks containing various recipes. They claim that their unique compilation of recipes, presentation style and layout are protected by copyright. Wild Cook, a competitor, also publishes cookbooks. Ma Recipes Ltd. has published a cookbook titled "Meals in Minutes," containing a collection of recipes arranged in a specific format. Each recipe includes a list of ingredients, step-by-step instructions, nutritional information, and a photo of the finished dish.

Ma Recipes Ltd. alleges Wild Cook of copying significant portions of their cookbook in their new publication "Fast and Fancy Feasts." They claim that Wild Cook duplicated the format, layout, and even specific recipe instructions from their "Meals in Minutes" cookbook. Further, Ma Recipes Ltd. alleges that Wild Cook used photos from their cookbook without permission, claiming that these photos are their intellectual property protected by copyright.

Wild Cook denies the allegations, arguing that the cookbook "Meals in Minutes" does not qualify for copyright protection. They also contend that even if the cookbook were protected, their version does not constitute a substantial reproduction of Ma Recipes Ltd.'s work. Furthermore, Wild Cook asserts that any photos used were taken independently and not copied from Ma Recipes Ltd.'s cookbook.

Do you agree with Ma Recipes Ltd position? Analyze the legal principles that govern the ownership and unauthorized utilization of intellectual property.

(20 Marks)

4. Answer Part A or B.

- A. The Bundle of Rights theory, proposed by A.M. (Tony) Honoré is a complex and sophisticated concept that explores the various entitlements and responsibilities associated with property ownership.

Critically explain the primary components of this theory and their contribution to our understanding of property rights.

- B. Critically explain in what ways does blockchain technology enhance the transparency, security, and efficiency of property transactions and what specific mechanisms within blockchain contribute to these enhancements.

(20 Marks)