

UNIVERSITY OF COLOMBO, SRI LANKA
FACULTY OF LAW
DEGREE OF MASTER OF LAWS (BY COURSEWORK) - 2024/25
2nd SEMESTER END EXAMINATION – 2025 (AUGUST)
Developments in Property Law (TLLM 1239)

(Three Hours)

Total number of questions: 04

Answer any **Three** questions

(Candidates will be penalized for illegible handwriting)

01. Critically analyze the historical foundations of international property law. In your answer, examine how principles of sovereignty, territorial jurisdiction, and customary international law have shaped the evolution of property rights regulation in international legal order.

(20 Marks)

02. Fathima, a law professor, has developed comprehensive seminar materials on environmental law, which include her unique summaries, commentary and case examples. Although the fundamental legal concepts and statutes are well-known and widely accessible, Fathima has invested considerable effort into organizing and articulating the content.

However, Preme Publishers, a competing educational firm, has copied substantial portions of Fathima's seminar materials and sold them without her permission. They argue that her materials do not qualify for copyright protection because they mainly consist of ideas and facts, which are not eligible for copyright. Furthermore, they claim that the expression lacks originality since the materials are based on established legal principles.

Advise Fathima on whether her seminar materials qualify for copyright protection. Discuss how originality is assessed and the distinction between idea and expression.

(20 Marks)

- 03.** Critically analyse John Locke's Labour Theory of Property by examining how Locke justifies the acquisition of property through labour in his "*Two Treatises of Government*." Evaluate how John Locke's property thesis affected rights of ownership, with special reference to *use*, *usufruct*, and *alienation* and explain how Locke's ideas are reflected in contemporary law.

(20 Marks)

- 04.** GenexaCorp, a biotechnology company, has created a proprietary genetically modified organism (GMO) that includes synthetic genetic sequences designed to improve crop yields. At the same time, an academic research group has published findings using a similar genome-editing technique on naturally occurring genetic materials. A dispute arises over the ownership, usage rights and legal protection of the involved genetic sequences.

In light of this scenario, discuss the rights of ownership and legal protection pertaining to materials and technologies involving genetic information. Further, analyze the challenges in defining and enforcing property rights in biological entities such as genes, genomes, genetic sequences and transgenic organisms under present legal frameworks.

(20 Marks)