

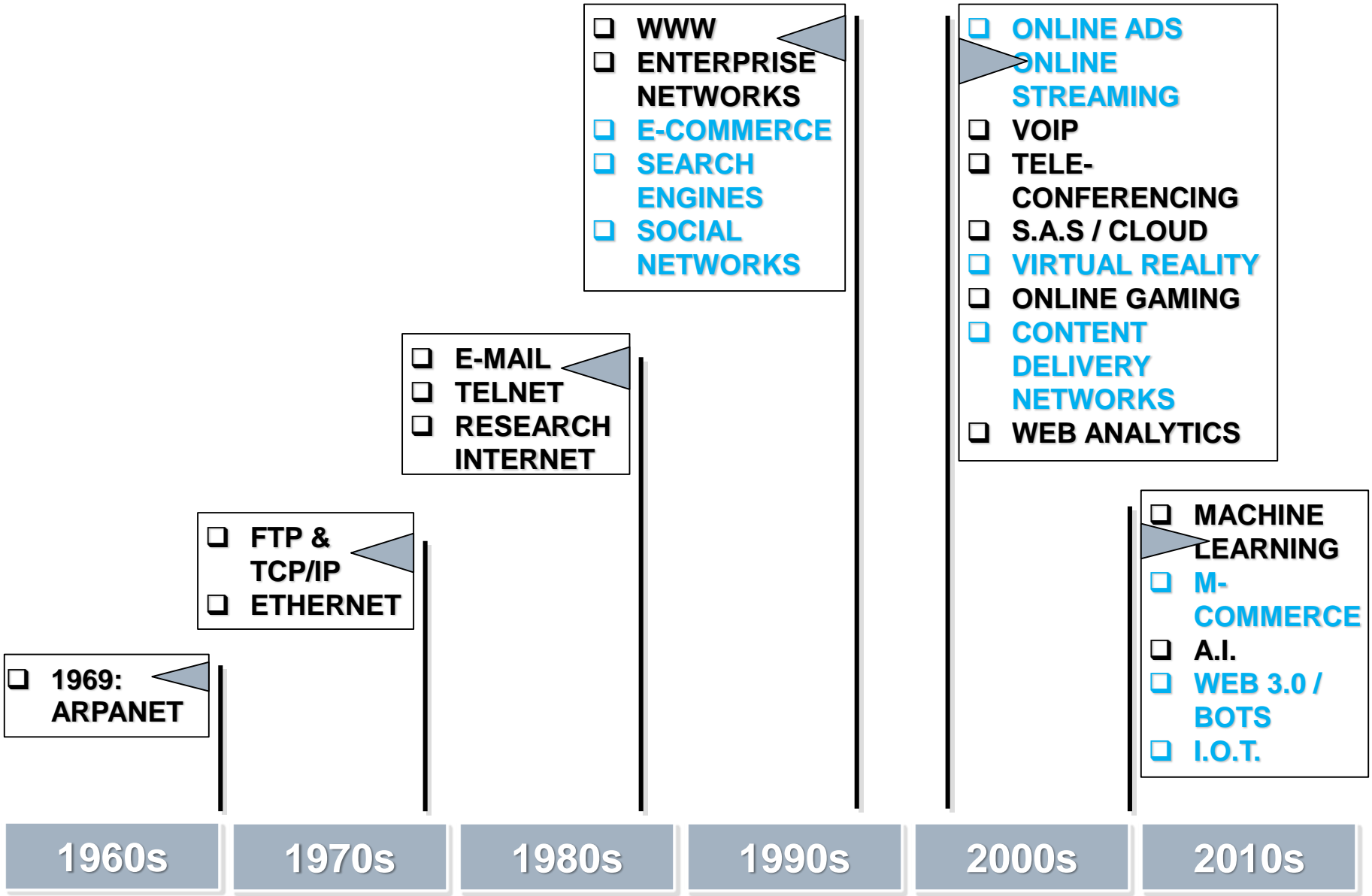
CYBER LAWS: **SECURE DIGITAL TRANSFORMATION**

| Kiran Bettadapur S. |

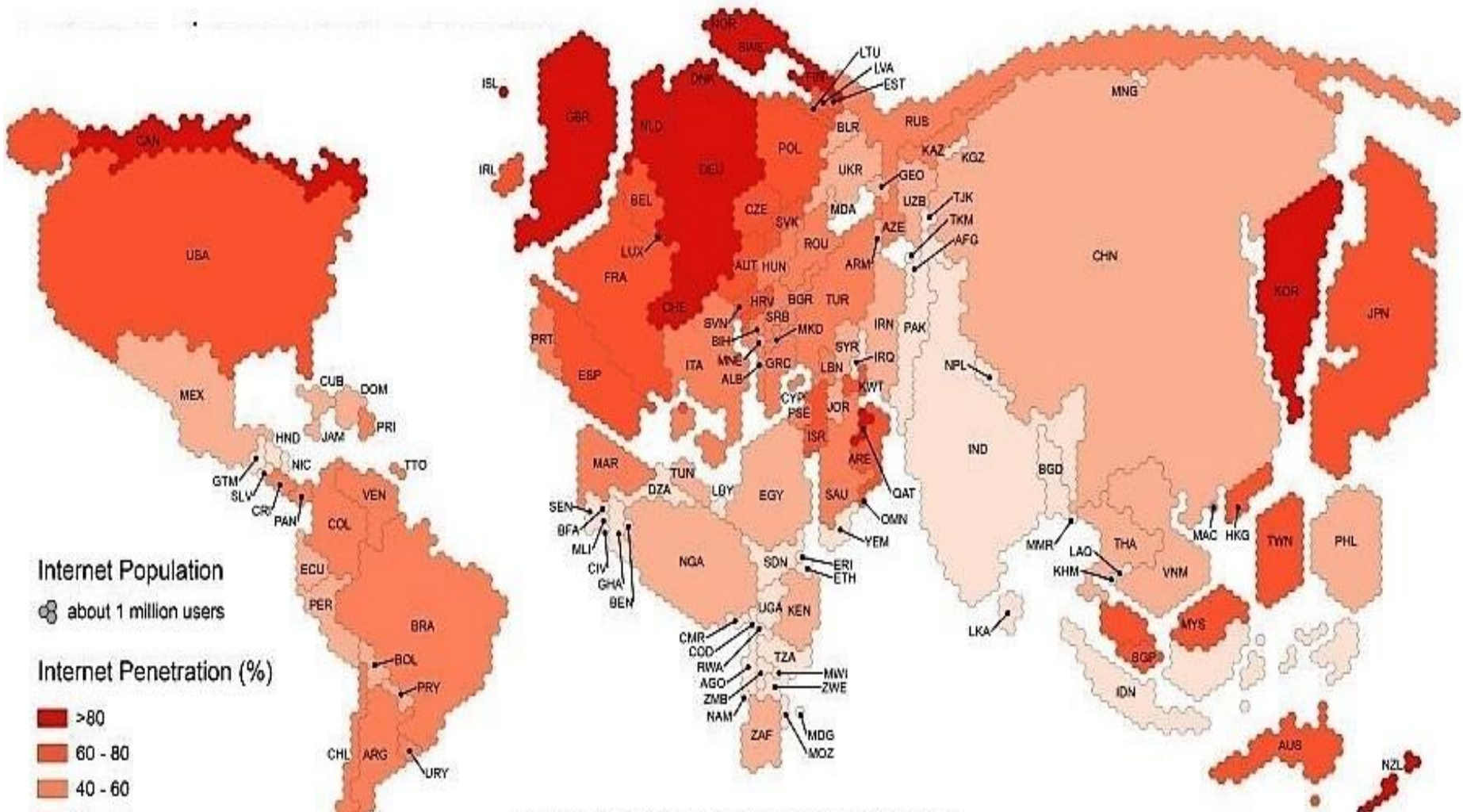


An Association for All IT Architects

TIMELINE



INTERNET WORLD



Internet Population

🌐 about 1 million users

Internet Penetration (%)

- >80
- 60 - 80
- 40 - 60
- 20 - 40
- <20

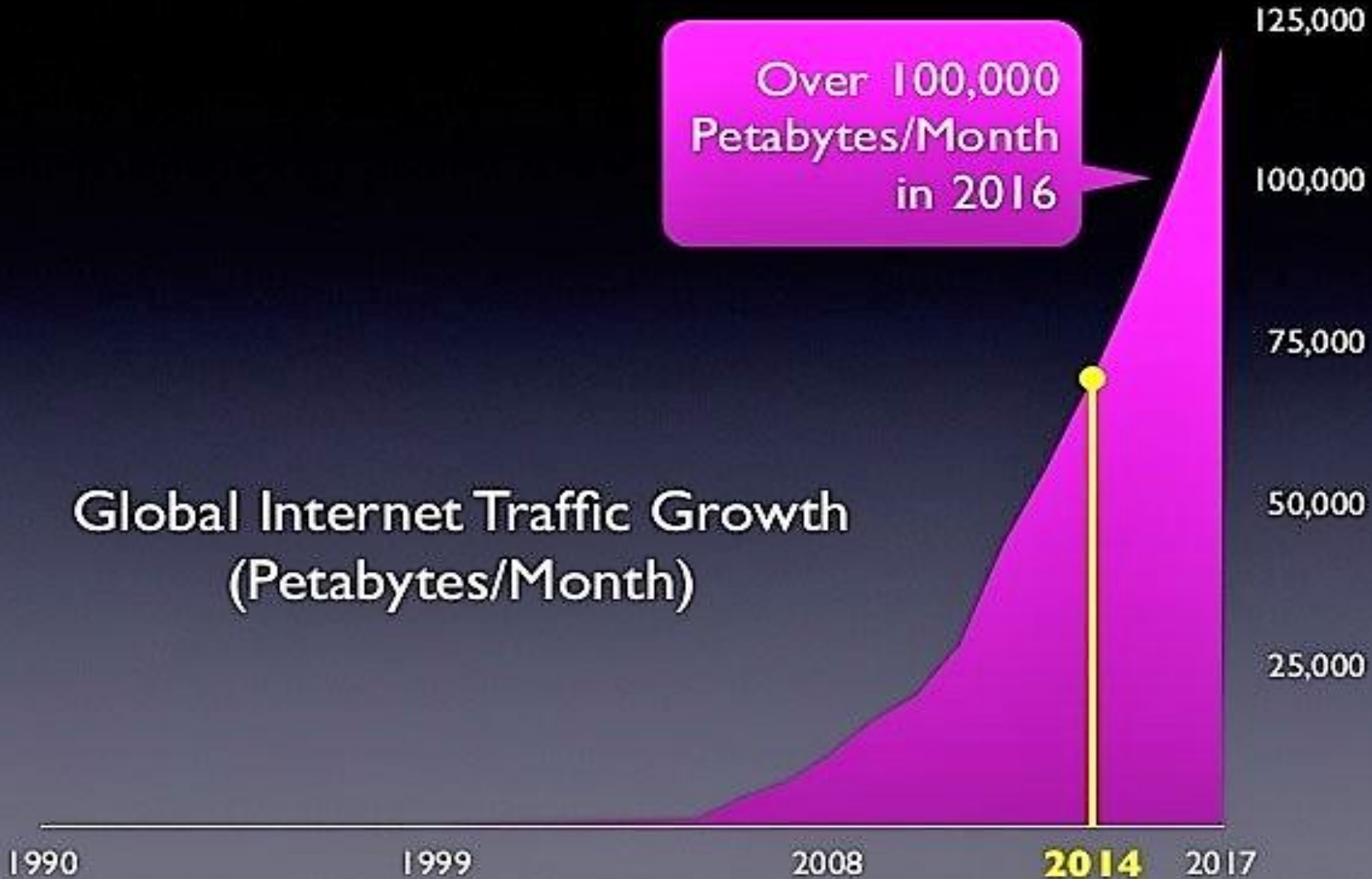
by Mark Graham (@geoplacement) and Stefano De Sabbata (@maps4thought)
Internet Geographies at the Oxford Internet Institute
October 2013 • geography.oi.ox.ac.uk

data source: World Bank 2011
<http://data.worldbank.org>
Oxford Internet Institute

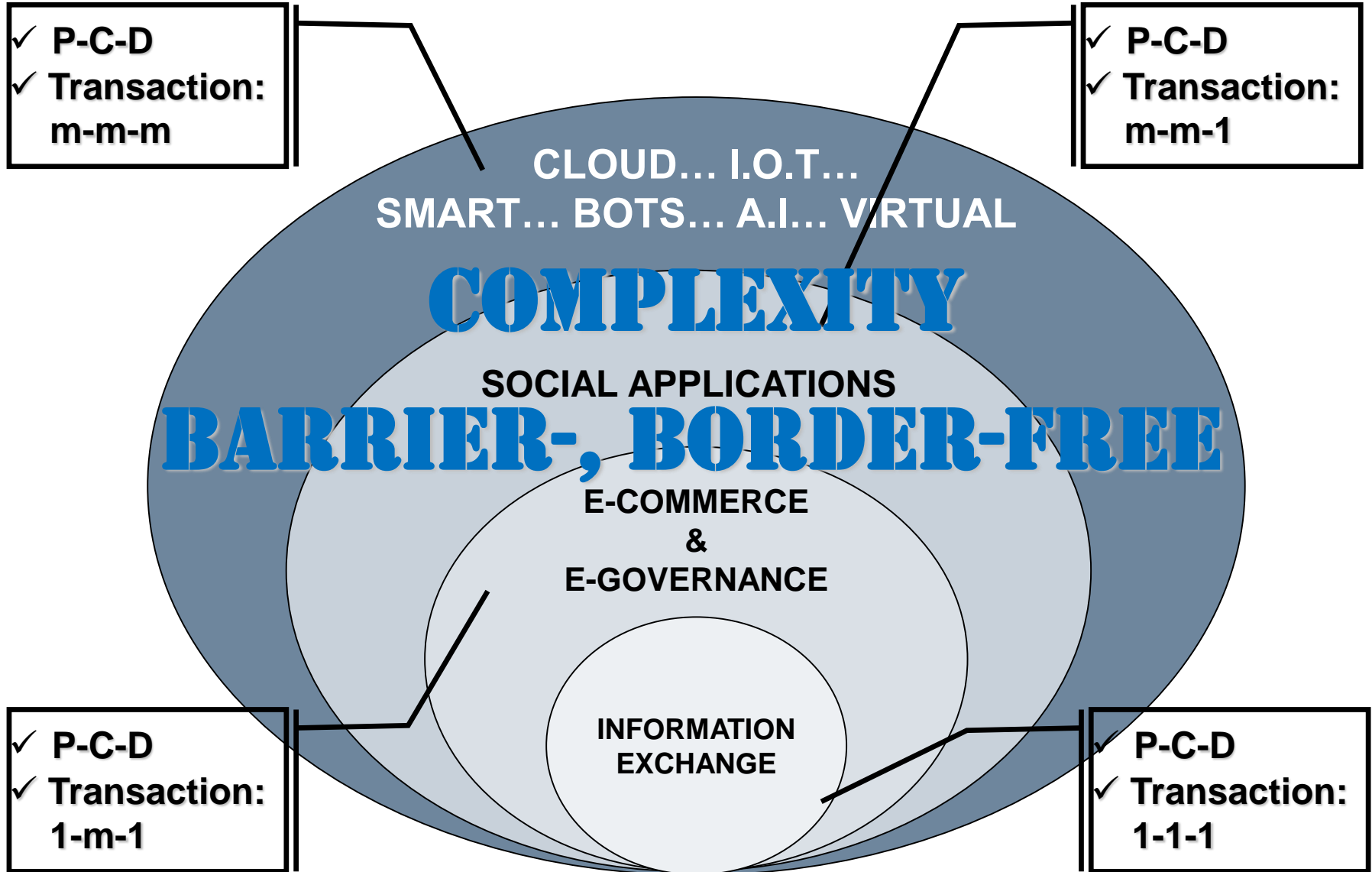
INTERNET TRAFFIC

Global Internet Traffic Growth (Petabytes/Month)

Over 100,000
Petabytes/Month
in 2016



Cisco Visual Networking Index, 2013



LEGAL ISSUES ON DIGITAL PLATFORMS

- ✓ **JURISDICTION**
- ✓ **CYBER CRIMES**
- ✓ **FREEDOM OF SPEECH**
- ✓ **PRIVACY & DATA PROTECTION**
- ✓ **EVIDENCE & FORENSICS**

- ✓ **E-CONTRACTS**
- ✓ **AUTHENTICATION METHODS**
- ✓ **TAXATION**
- ✓ **ONLINE PAYMENTS**
- ✓ **CONSUMER PROTECTION**

- ✓ **CONVERGENCE**
- ✓ **ISP LIABILITY**
- ✓ **SURVEILLANCE POWERS**
- ✓ **INTELLECTUAL PROPERTY**
- ✓ **DISPUTE RESOLUTION**

CYBERCRIME TYPES

AGAINST PERSONS:

- ✓ IDENTITY THEFT
- ✓ INFORMATION THEFT
- ✓ DEFAMATION
- ✓ CYBER THREATS, BULLYING & STALKING
- ✓ FORGERY
- ✓ HARASSMENT
- ✓ E-MAIL SPOOFING & SPAM;
- ✓ PHISHING
- ✓ CHILD SOLICITING

AGAINST PROPERTY

- ✓ DENIAL OF SERVICE
- ✓ MALWARE: Viruses, Trojans, Worms, Mail Bombs, Ransomware
- ✓ CYBER SQUATTING
- ✓ HACKING
- ✓ SALAMI SLICING (PENNY SHAVING)
- ✓ CREDIT CARD FRAUD
- ✓ IP CRIMES: Software Piracy; IP Violations (Copyright, TM, etc.)

AGAINST GOVERNMENT:

- ✓ SALE OF ILLEGAL ITEMS: WEAPONS, WILDLIFE, DRUGS
- ✓ CYBER WAR & TERRORISM
- ✓ CHILD PORNOGRAPHY
- ✓ ONLINE GAMBLING
- ✓ SECURE SYSTEM HACKING
- ✓ ONLINE ESPIONAGE

JURISDICTION

MEANING:

- ✓ POWER TO ADJUDICATE
 - SUBJECT MATTER
 - PERSONAL OR TERRITORIAL
 - PECUNIARY

PRE-REQUISITIES:

- ✓ PRESCRIBE
 - APPLICABILITY
 - POWER / PRIVILEGE TO APPLY LAWS
- ✓ ADJUDICATE
- ✓ ENFORCE

JURISDICTION TO PRESCRIBE

- ✓ FOREIGN RELATIONS LAW OF THE U.N., 1987
 - **Territorial Principle:** Act within territory
[wholly or great part]
 - **Effect Principle:** Act outside territory & substantial impact within
 - **Nationality Principle:**
Status of person or things within
 - **Protective Principle:**
Pertains to activities, interest, status

JURISDICTION TO ADJUDICATE:

- ✓ ADJUDICATE POWER ... NOT PRESCRIBE
- ✓ VICE-VERSA

JURISDICTION TO ENFORCE:

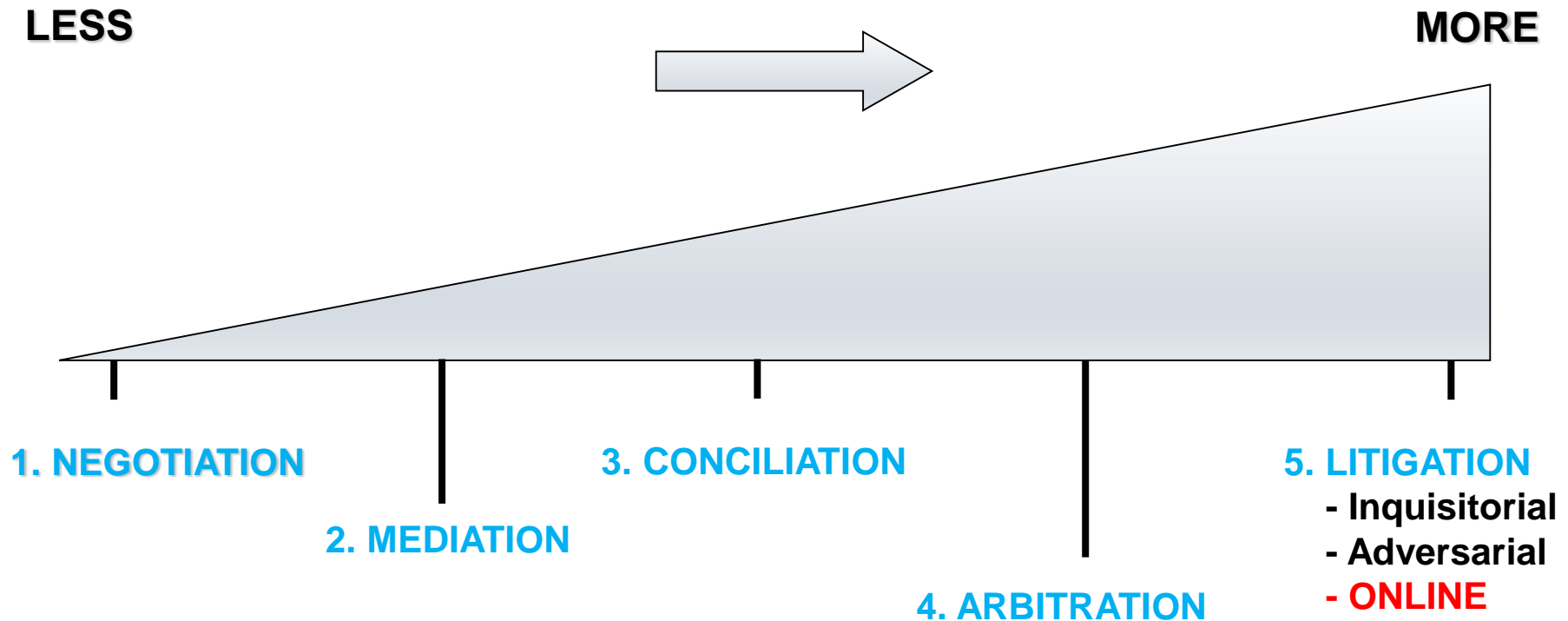
- ✓ *Ex-Parte* Judgment
- ✓ Enforcement of Decree?
- ✓ Section 13 of CPC:-
Judgment Valid, unless...
 - No competency
 - Not judged on merits
 - Obtained by fraud
 - Violated natural justice
 - Incorrect int'l law view

or relations of its

nationals....

DISPUTE RESOLUTION

- Third-Party Involvement... **MORE MANDATORY**
- Procedure Oriented... **NO FLEXIBILITY**
- Matters Public... **NO CONFIDENTIALITY**
- Cost / Time / Effort... **GOES UP**
- Outcome / Award Binding... **LOSS OF CONTROL**



- Free Consent
- Parties
Competent to
Contract
- Consideration
= Lawful
- Not Expressly
Declared Void



- Statutory
Requirement:
Contract in
Writing, e.g.,
MOA, Trust, Sale
Deed
- Witnesses:
Registration Act



“Thank You!”

