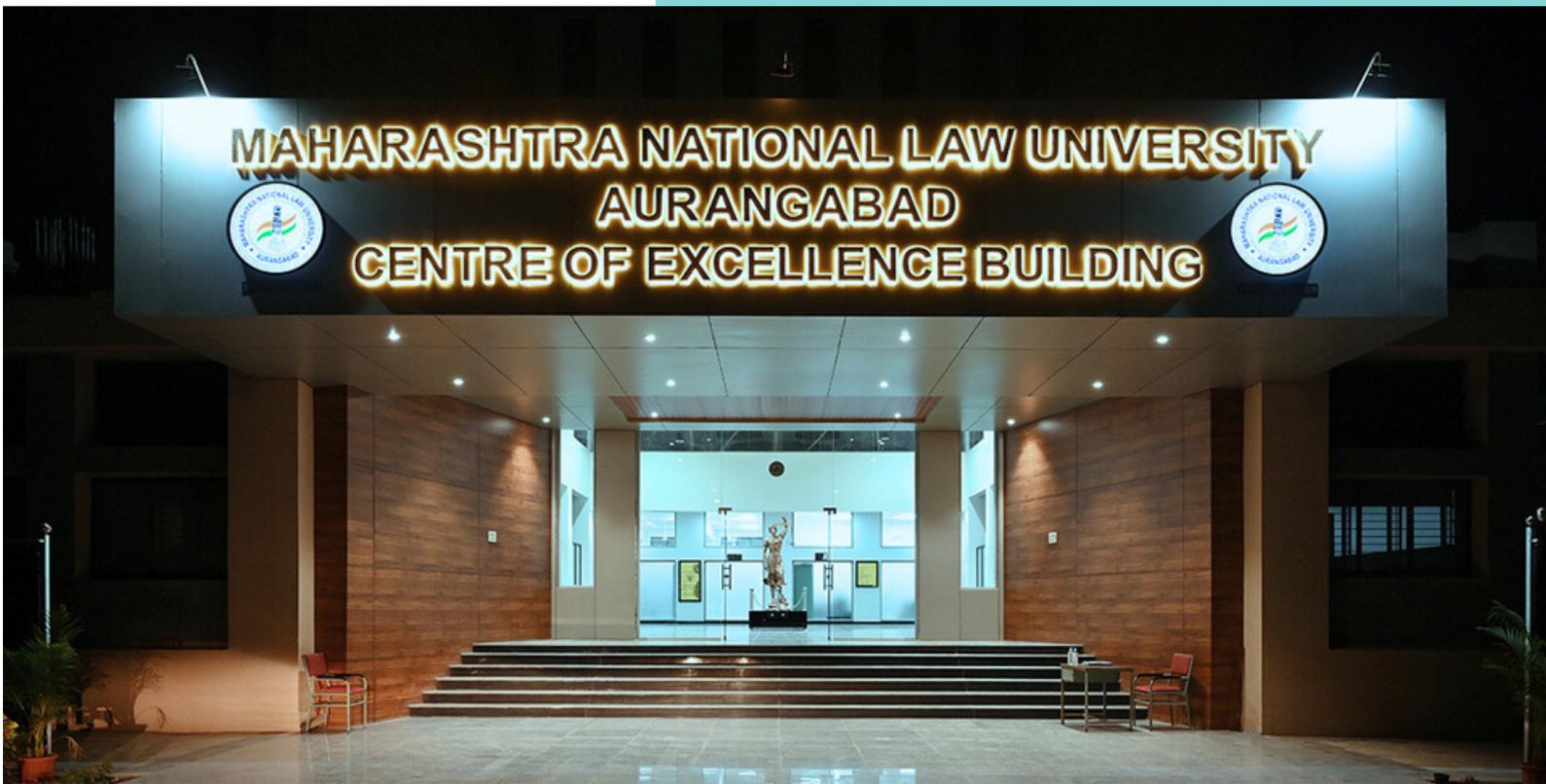




THE CENTRE FOR INTERNATIONAL CORPORATE
AND COMMERCIAL LAWS



1st MNLUA CONTRACT DRAFTING COMPETITION 2023

ABOUT MNLUA:

The State of Maharashtra realizing the importance of quality legal education and the need for well-trained law graduates to the Bar, Bench, and profession took a very bold decision by creating three National Law Universities in the State of Maharashtra at Mumbai, Nagpur and Aurangabad. Created under the Maharashtra National Law University Act, 2014, on the 16th of March, 2017, Maharashtra National Law University, Aurangabad is one of the premier National Law Universities in India. The university is dedicated towards the development and advancement of legal education and for the purpose of imparting specialized and systematic instructions, training and research in the system of law. The vision of the University is to advance and disseminate learning, knowledge of law, legal processes and their role in national development.





ABOUT THE CONTRACT DRAFTING COMPETITION

The competition aims to promote and advance the skill of modern legal drafting, particularly contract drafting. The competition offers participants a distinctive chance to engage in fields characterized by broad and intricate laws and regulations, demanding extensive research. Through this experience, participants will encounter and tackle the legal obstacles faced by their fictional clients. The competition seeks to interact with the community of law students in India to develop the art of contemporary legal writing in the area of Commercial law.



ABOUT CICCL

The Centre for International Corporate and Commercial Laws focuses on the dissemination of the knowledge related to Corporate and Commercial Law prevailing in domestic as well as international arenas and covers the trends related to it. It works to bring together the experts in these areas of law to stimulate research and debate in Corporate and Commercial Laws and practice and to strengthen cooperation with other academic centres, international organisations, the legal profession and fraternity.



ABOUT ARENESS LAW

Areness is a distinguished law firm with a strong focus on providing exceptional legal and consultancy services. Areness boasts an unparalleled array of services, providing all-encompassing solutions through their team of in-house specialists. The firm has garnered a reputation as a dependable collaborator, having been granted the honor of collaborating with top-tier entities spanning various industries. Alongside their remarkable professional offerings, Areness serves as a reliable ally in legal education, legal tech advancement, and legal research.

RULES OF THE COMPETITION



ELIGIBILITY:

The Competition is open to all undergraduate law students enrolled in any recognized educational institution within India.



TEAM COMPOSITION:

- Both individual and team participation is permitted in the competition.
- There is no restriction on the number of teams from the same institution that can compete.
- Team may consist of students from two different institutions.



SUBMISSION GUIDELINES:

- The contract shall be drafted in English language only.
- The contract shall not exceed more than ten (10) A4-sized typewritten pages, excluding the cover page and the signature page. Five (5) marks shall be deducted as a penalty for each page exceeding the page limit.
- The document containing the contract shall not reveal the identity of the participants, in any manner whatsoever.
- Soliciting assistance from industry professionals with or without consideration is strictly prohibited.
- Formatting: Font style – Times New Roman, font size – 12, line spacing – 1.5, justified alignment, paragraph spacing - 1 pt. before and after, with a 1-inch margin on all sides.
- Participants are encouraged to use modern contract drafting techniques that focus on the use of plain English.
- Utilization of AI tools for drafting the contract shall lead to disqualification.
- The contracts that are found to have plagiarized content above 15 % will be disqualified without review.
- Submissions shall be made in .doc or .docx format only.
- Submissions shall be made by sending an email to ciccl@mnlua.ac.in with the subject “Submission for Contract Drafting Competition: [Team Code]”.
- Clarifications on the Problem Statement shall be sent to ciccl@mnlua.ac.in.



REGISTRATION:

1. The registration fee shall be Rs.500/- for individual participants and Rs.700/- for participant teams. The registration fee shall be non-refundable and non-transferable.
2. Participants shall register themselves for the Competition by submitting the following form: [CLICK HERE FOR FORM](#)
3. The acknowledgment of the payment must be submitted along with the online registration form.
4. Payment shall be made by accessing the following link: [CLICK HERE](#)
5. A team Code shall be assigned to each individual participant/participant team, as the case may be, after the successful completion of registration.



MARKING CRITERIA:

The submissions will be marked on the following parameters :

PARAMETER	MAXIMUM MARKS
Comprehensive understanding of the Problem, responsiveness to client's needs and interests, and identification of issues.	30
Application of Law	30
Language and Style of Drafting	20
Creativity	10
Formatting	10
TOTAL	100

Note : Evaluation done by the judges shall be final and binding on all the participants



SCHEDULE OF THE COMPETITION:

1. Release of Problem Statement: 17th October, 2023
2. Last date for seeking clarifications on the Problem: 10th November, 2023
3. Release of clarifications: 15th November, 2023
4. Last date for registration: 20th November, 2023
5. Submission deadline: 30th November, 2023
6. Declaration of Results: 10th December, 2023



AWARDS AND CERTIFICATES:

1. Winner: Internship with Areness + Cash Prize Rs. 5000/-
2. Runners up: Cash Prize Rs. 3000/-
3. Second Runners up: Cash Prize Rs. 1500/-



PROBLEM STATEMENT

Case Study: Legal Agreement for a Video Game Development Contract

Product: A new video game called “REVOLUTUS”

1. Agreement:

CYBER VIXENS Studios and THE CHUCKLE JUGGERNAUTS Games entered into a video game development contract for the development and publishing of "REVOLUTUS" The contract included the following key terms:

1.1 Further details:

- **Scope of Work:** CYBER VIXENS was responsible for developing the game, including all of the code, art, and design. THE CHUCKLE JUGGERNAUTS Games was responsible for publishing the game, including marketing and distribution.
- **Intellectual Property:** CYBER VIXENS retained ownership of the intellectual property in the game, including the characters, setting, and story. Big Games received a non-exclusive license to publish and distribute the game.
- **Payment:** Alp-ha Studios was to receive a fixed fee for developing the game, as well as royalties on sales of the game.

1.2 Product Description

- In 2017, two people Rajesh owns The Chuckle Juggernaut and Vishal owns Cyber Vixens met and decided to give their dream a corporate start, their idea revolved around their childhood passion for Video games and hence they collaborated to develop a gaming product named REVOLUTUS.
- The gaming product in question is a new type of online multiplayer game called "REVOLUTUS" The game is set in a fantasy world where players can create their own characters and choose from a variety of classes, such as warrior, mage, or healer. Players can then team up with other players to explore the world, complete quests, and battle monsters and other players.
- One of the unique features of REVOLUTUS is its player-driven economy. Players can earn in-game currency by completing quests, defeating monsters, and selling items to other players. Players can then use this currency to purchase items from the game's shop or to trade with other players.
- REVOLUTUS is still in development, but the company behind the game is planning to release it as a free-to-play game with in-app purchases. This means that players will be able to download and play the game for free, but they will have the option to purchase items from the game's shop using real-world money. But in internationally Loot boxes have been the subject of several legal challenges in recent years.

- In 2019, the Belgian Gaming Commission ruled that loot boxes in the game Overwatch constituted gambling and were therefore illegal in Belgium. In 2020, the UK Gambling Commission launched an investigation into loot boxes, and in 2022, the Netherlands Gaming Authority banned loot boxes in all video games sold in the Netherlands. One of the main legal issues surrounding loot boxes is whether or not they should be regulated as gambling. Loot boxes are often marketed in a way that is similar to gambling, and they can be just as addictive. However, loot boxes do not always have a monetary value, which makes it difficult to classify them as gambling under the law. Another legal issue surrounding loot boxes is whether or not they are deceptive to consumers. Many players feel that loot boxes are misleading because they do not disclose the odds of obtaining specific items. This can lead to players spending a lot of money on loot boxes without ever getting the items they want.

THE CHUCKLE JUGGERNAUTS now must create all designs whereas NYX is going to write all the code details but there are multiple issues in the contract and breach of CYBER VIXENS done by failing good marketing and giving their many deals to other designer firms and even they used extra funds which was allotted by the CHUCKLE JUGGERNAUTS company.

2. Dispute:

- After the game was released, Cyber Vixens claimed that The Chuckle juggernauts had failed to market and distribute the game adequately. THE CHUCKLE JUGGERNAUTS also claimed that CYBER VIXENS had failed to pay all of the royalties that were owed.
- CYBER VIXENS denied these claims and argued that THE CHUCKLE JUGGERNAUTS had failed to deliver the game on time and within budget. Big Games also argued that the game was not of high enough quality to be marketed and distributed successfully.

3. Outcome:

The parties were unable to resolve their dispute on their own, so they filed a lawsuit in court. The court found in favor of THE CHUCKLE JUGGERNAUTS and ordered Big Games to pay the outstanding royalties. The court also found that Big Games had breached the contract by failing to market and distribute the game adequately. However, the court did not award THE CHUCKLE JUGGERNAUTS any damages for this breach, as the court found that CYBER VIXENS had also breached the contract by failing to deliver the game on time and within budget.

4. Legal Issues (Question)

There are several legal issues that the company behind REVOLUTUS needs to consider when drafting agreements and contracts for the game. One of the most important issues is the terms of service agreement. This agreement sets out the rules and regulations that players must agree to in order to play the game.

4.1 The terms of service agreement should cover a wide range of topics, including:

- The ownership of in-game items and currency.
- The company's right to ban or suspend players for violating the terms of service agreement.
- The company's liability for any damages that players may suffer while playing the game.
- The T&C clauses and obligation.
- The company also needs to draft agreements with third-party vendors, Girma that provide the game's servers and payment processing services. These agreements should outline the Terms and conditions of the relationship between the company.

4.2 The terms of service agreement for THE CHUCKLE JUGGERNAUTS should include the following key terms and provisions:

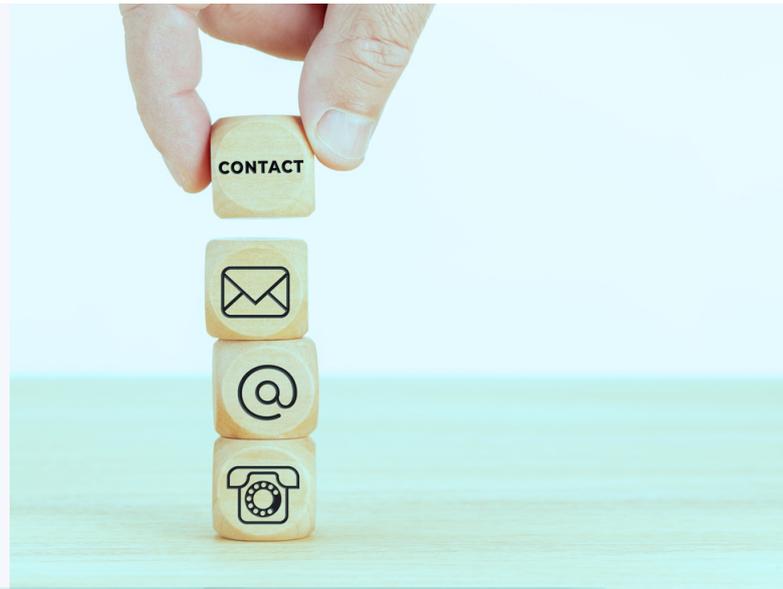
- **Ownership of in-game items and currency:** The terms of the service agreement should clearly state that the company owns all in-game items and currency. This means that players do not have any ownership rights in these items.
- **Right to ban or suspend players:** The terms of service agreement should give the company the right to ban or suspend players for violating the terms of service agreement. This includes violations of the company's rules against cheating, harassment, and other forms of misconduct.
- **Liability:** The terms of the service agreement should limit the company's liability for any damages that players may suffer while playing the game. This limitation of liability is important to protect the company from financial losses in the event of a lawsuit
- **Potential legal risks in agreements with third-party vendors**

4.3 The company needs to be aware of several potential legal risks when drafting agreements with third-party vendors, including:

- **Intellectual property rights:** The company needs to ensure that it has the right to use the third-party vendor's intellectual property, such as its software and trademarks.
- **Data privacy and security:** The company needs to ensure that the third-party vendor will protect the privacy and security of player data



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FACULTY COORDINATOR

Prof. Vivek Wilson
Assistant Professor of Law



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