

Sample test IT & Law

1. Which of the following topics is hardly regulated by governments?
 - A) Protection of computer software
 - B) Protection of trade secrets
 - C) Protection of domain names**
 - D) Protection of databases

2. I am employed as a software developer at a software development company. Responding to an order from my boss, I just finished a fantastic new computer program that is copyright protected. Who is the owner of this copyright?
 - A) The employer, as the employer invested in the development of the software.
 - B) The employee ('me'), as I performed the creative steps needed to develop the software.
 - C) The employee ('me'), unless we agreed differently in the employment contract.
 - D) The employer, unless we agreed differently in the employment contract.**

3. For the transfer of copyright on software, we need...
 - A) ...an oral agreement.
 - B) ...a deed.**
 - C) ...a public notary.
 - D) ...a license.

4. The 'first sale doctrine' is...
 - A) ...limiting the exclusive right of the licensor.**
 - B) ...limiting the exclusive right of the licensee.
 - C) ...limiting the exclusive rights of the licensor as well as the licensee.
 - D) ...expanding the exclusive rights of the licensor as well as the licensee.

5. Only the 'expression' of a computer program can be protected by copyright. According to the European Court of Justice, (an) example(s) of 'the expression' of a computer program is/are:
 - A) The functionality of that computer program.
 - B) The ideas and principles expressed in the computer program.
 - C) All of the above.
 - D) None of the above.**

6. Which of the following statements is/are correct?
- I. Database protection aims at protection of creativity in creating that database.
 - II. Database protection aims at protection of investments in that database.
- A) Only statement I.
- B) Only statement II.**
- C) Statement I and statement II.
- D) None of the statements.
7. Mr. Pepper owns an exclusive right on a database as meant in Directive 96/9/EC. On 15 July 2010, he finally completed his database, published it on a website and made it available for any visitor online. On the same webpage, he mentions that – as long as the database is protected by Directive 96/9/EC – it is not permitted to transfer the contents of his database to another web page. Nevertheless, you would want to do so. On which date is it allowed to do so?
- A) Any date, as Mr. Pepper did not protect the database that he published online.
- B) 16 July 2015.
- C) 6 March 2016.**
- D) Never, as the database is protected under Directive 96/9/EC.
8. The General Data Protection Regulation (GDPR) contains a stricter regime for certain 'special categories of data'. This regime does NOT apply to information concerning someone's...
- A) ...political opinions.
- B) ...biometric data for the purpose of uniquely identifying him/her.
- C) ...a natural person's sex life.
- D) ...financial position.**
9. For lawful processing of personal data, you always need...
- A) ...(informed) consent of the data subject.
- B) ...permission from the Data Protection Authority (DPA).
- C) ...a specified, explicit and legitimate purpose.**
- D) ...a data protection impact assessment.
10. A 'Data processing agreement' is legally required between...
- A) ...the data subject and the controller.
- B) ...the data subject and the data processor.
- C) ...the data controller and the data processor.**
- D) ...the data processor and the Data Protection Authority (DPA).

11. Which of the following statements is/are correct?

I. Data protection by design is strongly advised for data controllers, but not legally required.

II. Data protection by default is strongly advised for data controllers, but not legally required.

A) Only statement I.

B) Only statement II.

C) Statement I and statement II.

D) None of the statements.

12. Under the General Data Protection Regulation, companies infringing basic principles for processing of personal data are risking a maximum penalty of

A) €10,000,000.

B) €10,000,000 or up to 2% of the total worldwide annual turnover of the preceding financial year, whichever is higher.

C) €20,000,000.

D) €20,000,000 or up to 4% of the total worldwide annual turnover of the preceding financial year, whichever is higher.

13. In terms of cybercrime typology, the intentional and unlawful production and distribution of ransomware is an example of using a computer as...

A) ...motive and target.

B) ...target and instrument.

C) ...instrument and motive.

D) ...all of the above.

14. Under Dutch criminal law, any person who intentionally causes the defective functioning of any telecommunication infrastructure facility, shall – if such act is likely to generally endanger the provision of services – be liable to...

A) ...a term of imprisonment not exceeding six months or a fine of the third category.

B) ...a term of imprisonment not exceeding three years or a fine of the fourth category.

C) ...a term of imprisonment not exceeding six years or a fine of the fifth category.

D) ...a term of imprisonment not exceeding nine years or a fine of the fifth category.

15. Recently, in the Netherlands the prosecutor has been granted additional investigative powers to fight cybercrime (Computer Crime Code III). Rules concerning these powers qualify as rules of:

A) Substantive criminal law.

B) Procedural criminal law.

C) Civil procedural law.

D) Case law.