



# St. Joseph's College of Law

No. 18, F.M. Cariappa Road (Residency road), Bangalore 560025.

# 1<sup>st</sup> SJCL NATIONAL MOOT COURT COMPETITION

17-18 July, 2021

## RULE BOOK



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## DEFINITION

1. **Organizing Committee** : The Moot Court Society of St. Joseph's College of Law, Bangalore, members thereof, or any person/persons appointed for the administration of this moot court competition.
2. **Plaintiff** : Plaintiff means the side that argues on behalf of the Plaintiff at any given point in the competition.
3. **Defendant** : Defendant means the side that argues on behalf of the Defendant at any given point in the competition.
4. **INR** : Indian Rupee.
5. **Memorandum** : Memorandum means the written arguments submitted by each team.
6. **Penalty** : Penalty refers to deductions imposed on the memorandum scores of a participating team for non-compliance with the rules mentioned herewith.
7. **Rebuttals** : Rebuttals refers to the arguments presented by the Plaintiff in response to the Defendants submissions at the end of the main pleadings of all the speakers.

- 8. Sur-rebuttals** : Sur-rebuttals refer to the defense presented by the Defendants to the rebuttals
- 9. Scouting** : Scouting refers to the practice whereby any person observes the Oral Rounds of a team other than the team such person is associated with.
- 10. Clarifications** : Clarifications refer to procedural order(s) and/or any clarification(s) issued by the Organizing Committee and published on the official website.
- 11. Compendium** : A brief compilation of principle heads, general principles, case laws and any other academic resource relevant to the memorandum to be submitted by the respective teams.



## **I. AIM AND PURPOSE**

The 1<sup>st</sup> St. Joseph's College of Law National Moot Court Competition, 2021 has been conceived with the aim of creating opportunities for learning the development of jurisprudence on emerging trends in the domain of Intellectual Property Law and allied areas besides developing cutting edge skills in research, writing and advocacy.

Through the first inaugural moot court competition, the College is emboldened with a vision to enrich the knowledge of aspiring lawyers in keeping with the mission to actively bridge law and governance through legal education. The Institution also aims to provide a democratic avenue for the exchange of novel ideas.

## **II. DATE OF COMPETITION**

1<sup>st</sup> St. Joseph's College of Law National Moot Court Competition, 2021 shall be held on **17 July & 18 July, 2021**.

## **III. ELIGIBILITY**

Participation is open to all law students (3 years or 5 years integrated course) or any equivalent law program, from any law college/department/university recognized by the Bar Council of India.



## IV. TEAM COMPOSITION

1. Only one team per institution may register for the competition. Each team shall comprise of a minimum of two members wherein both the members will be required to perform the role of a speaker.
2. Teams may comprise of a maximum of three members, wherein two members shall perform the role of a speaker and one member shall perform the role of a researcher.
3. Once registered, this number shall not be modified under any circumstance.
4. Teams shall not disclose the identity of their institution; such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the Organizers.

## V. REGISTRATION PROCESS

The provisional registration shall be initiated in the following manner:

1. The link below shall direct the participants to a google form.

<https://forms.gle/N2saRg6k6Cd9xw3j8>

2. Subsequently, an initial payment of **Rs. 1000/-** shall be paid for the Phase I - Written Rounds.
3. Participants shall note that registration fee, once successfully paid, will not be refunded.

The payment shall be initiated through the following link:

<https://pages.razorpay.com/sjcl>

4. After the requisite payment is made, teams shall receive a confirmation e-mail with their team codes. The e-mail shall indicate a final confirmation of their participation in the memorandum evaluation round.
5. On qualifying the memorandum evaluation round, qualifying teams shall proceed with the final registration and make a payment of **Rs. 2000/-** for the Oral Rounds (Phase II). After the requisite payment is made, teams shall receive a confirmation e-mail. The e-mail shall indicate a final confirmation of their participation in the oral rounds.

## **VI. PHASE 1 : MEMORANDUM EVALUATION ROUND**

### **COPYRIGHTS OF MEMORANDUM**

Once the memorandums are submitted for the Memorandum Evaluation Round, the Organizers reserve the right to use the memorandums as they deem appropriate.

## SUBMISSION OF MEMORANDUM

1. Every registered team for the competition is required to prepare two sides of memorandum:
  - i. Memorandum on behalf of the Plaintiff.
  - ii. Memorandum on behalf of the Defendant.
2. All teams are required to send soft copies of their memorandums for Phase I: Memorandum Evaluation Round on or before 10<sup>th</sup> July, 2021 through the google form with the following link only. Any other format for submission will not be accepted.

<https://forms.gle/NAHgu9CQKk8ree6F8>
3. Participating teams are required to comply with the clause of anonymity as is mandated. The memorandum must at no stage reveal the name of the participants, institution, or any personal details of the teams.
4. A penalty of 1 point per hour shall be imposed for any submission made post the deadline specified. Memorandums submitted 12 hours beyond the deadline specified shall not be accepted for evaluated.
5. The memorandums which are submitted for the Memorandum Evaluation Round shall be considered final.



## FORMAT OF MEMORANDUM

1. All soft copies of the Memorandum submitted must be in Microsoft Word Document format (.doc/.docx) and in PDF Format.
2. Each Memorandum should be contained in a single file with the name of the file being the allocated team code followed by the name of the side whose arguments are presented in that Memorandum, i.e., 'Plaintiff' or 'Defendant'. For instance, the Plaintiff memorial of team code '25' should be named as "Memorandum for Plaintiff - Team 25".
3. All pages of the Memorandum must be of A4 size, with 1-inch margin on each side. The font style and size of the text of all parts of the Memorandum, excluding the Cover Page shall be Times New Roman, size 12, 1.5-line spacing. The Footnotes shall be in Times New Roman, size 10, single (1) line spacing.
4. Penalties :
  - i. Non-compliance with sub-rule (1) and (2) shall result in a penalty of 5 points.
  - ii. Non-compliance with sub-rule (3) shall result in a penalty of 1 point per error.

## CONTENT OF MEMORANDUM

1. The Memorandum are required to contain the following sections:
  - i. Cover Page
  - ii. Table of Contents
  - iii. Table of Abbreviations
  - iv. Index of Authorities
  - v. Statement of Jurisdiction
  - vi. Statement of Facts (2 pages max)
  - vii. Issues Raised
  - viii. Summary of Arguments
  - ix. Arguments Advanced
  - x. Prayer
2. The section on Arguments Advanced shall not exceed 25 pages. Non-compliance shall result in a penalty of 1 point for every additional page.
3. The memorandum as a whole shall not exceed 35 pages including the cover page. Non-compliance shall result in a penalty of 3 points for every additional page.

4. The citation format should follow the 20<sup>th</sup> edition of the Bluebook. Speaking footnotes and endnotes are not allowed. Non-compliance shall result in a penalty of 1 point for each error.
5. The Cover page of the memorandum must contain the team registration code in the upper right-hand corner, followed by an 'P' for the Plaintiff's Memorandum, or a 'D' for Defendant's Memorandum. Non-compliance shall result in a penalty of 2 points.

## **EVALUATION OF MEMORANDUM**

1. After evaluation of the memorandum submitted, the top 16 teams on the basis of their total scores in Phase I: Memorandum Evaluation Round shall qualify to Phase II: Oral Rounds.
2. The teams that qualify Phase I will be required to confirm their participation in Phase II by filling the confirmation form sent to them via email. In the event where a team fails to confirm participation within the period specified, invitations to other teams will be issued on the basis of the scores of Phase I.
3. Additionally, the payment details for Phase II shall be attached to the online confirmation form sent to the qualifying teams. The qualified teams would be expected to pay a sum of INR **2000/-** to proceed to Oral Rounds.

## CRITERIA OF MEMORANDUM EVALUATION

Sl. No.	Parameter	Max Marks
1.	Logical Progression of Ideas	10
2.	Originality in Analysis and Arguments	10
3.	Understanding Essential Legal Issues Presented	10
4.	Clear, Concise and Unambiguous Writing Styles	10
5.	Forceful and Persuasive Presentation	10
6.	Integration of Facts into Legal Arguments	10
7.	Understanding and Analysis of Authority	10
8.	Proper Use of Citations and Citation Format	10
9.	Effective use of Authority to Support Arguments	10
10.	Neatness, Legibility and Formatting	10
	<b>Total</b>	<b>100</b>

## VII. PHASE II : ORAL ROUND RUBRICS

### GENERAL PROCEDURE

1. The oral rounds shall be conducted virtually and shall comprise of **three rounds** :
  - i. Preliminary rounds (Round A and Round B).
  - ii. Semi-finals.
  - iii. Final Rounds.
2. The team representing the Plaintiff shall submit their arguments first, followed by the team representing the Defendant. Upon completion of the arguments, the Plaintiff shall have the option of submitting rebuttals, followed by the Defendant. Sur-rebuttals shall/shall not be permitted, subject to the discretion of the judges.
3. The student counsels shall not state their names and/or any personal details during the oral rounds. They are also not allowed to reveal their institution's name and must use the Team Code.
4. **Dress Code:** The Participants must be dressed in formal courtroom attire. If any participant cannot access formal dress code, they may be allowed to be dressed in adequate formal outfit, preferably white and black, which can be reasonably considered as appropriate to the occasion. No marks shall be reduced for not wearing a full formal courtroom attire.



## **PROCEDURES FOR ORAL SUBMISSION**

### **Time Division**

1. The division of time between the two speakers is up to the discretion of the team, however, each speaker must speak for a minimum of 10 minutes.
2. Prior to the Oral Round, teams must inform the organizers about the time division between (i) first speaker, (ii) second speaker, and (iii) the rebuttal (for Plaintiff) or sur – rebuttal (for Defendant).

### **Compendium**

It is not mandatory to submit a compendium, but if a team chooses to do so, it is mandatory to do so in a ‘pdf’ format and the guidelines for the same are as follows:

1. The compendium for the book/case or any other resource shall be cited with the first page of the resource and the relevant pages only. For instance, for citing a paragraph(s) from a case X v. Y, the first page of the case, followed by relevant pages shall be cited for this part of the compendium.
2. The responsibility of making a coherent, accessible compendium folder lies with the teams. Teams are also expected to make an index for their compilation.
3. The teams shall name their files in the following format: C–‘Team Code’–Side. For instance, the Plaintiff compendium of team code 05 should be named as ‘C05P’.

## Judging Criteria

1. The decision of the judges with regard to the outcome of the rounds shall be final.
2. Teams will be evaluated for their oral submissions on the basis of the following criteria:

Sl. No.	Parameter	Max Marks
1.	Knowledge of Law and Facts	10
2.	Appreciation and Application of Facts	10
3.	Interpretation and Application of Facts	10
4.	Use of Authorities	10
5.	Response to Questions	10
6.	Organisation of Arguments	10
7.	Clarity of Thought and Expression	10
8.	Argumentative Skills and Creativity	10
9.	Reference to Written Submissions in the course of Oral Pleadings	10
10.	Court Mannerism	10
	Total	100

### **Internet connectivity policy:**

1. The teams are requested to make proper arrangements to ensure continuous connectivity.
2. In the scenario of an interrupted connection including disruptions to the degree of incomprehensibility, disconnection etc., the timer will be paused for the team and sufficiently reasonable time will be provided to reconnect.
3. Contact details of the competition volunteers will be shared with the teams in case of technical difficulties.

### **PRELIMINARY ROUNDS**

1. Only the top 16 teams shall qualify to the Preliminary rounds. The qualifying teams shall be decided on the basis of the memorial scores of the teams.
2. All the teams that qualify for the Phase I: Memorandum Evaluation Round shall be eligible to participate in the preliminary rounds.
3. There shall be two preliminary rounds: Round A and Round B. Each team shall argue in both the rounds from both sides. Teams will argue once as a Plaintiff and once as Defendant.
4. The Draw of Lots system shall be used to determine the match-ups.
5. No team shall face the same bench more than once in the preliminary rounds.
6. The cumulative score for both the rounds; Round A and Round B shall be tabulated and the teams securing the highest scores shall qualify to the **Semi-Finals**.

7. The oral arguments should not extend beyond the issues in the memorandums.
8. The researchers are also required to attend the oral rounds.
9. Each team shall be allotted 30 minutes to present their case, this shall include time allotted for arguments advanced, rebuttals and sur-rebuttals.

## **SEMI - FINAL ROUNDS**

1. Top 6 teams with the highest scores shall qualify to the Semi-Finals. In case of any tie, the scores of the memorandum shall be referred.
2. The Draw of Lots system shall be used to determine the match-ups.
3. The teams securing the highest total marks shall qualify to the finals.
4. The oral arguments should not extend beyond the issues in the memorandums.
5. The researchers are also required to attend the Oral Rounds.

## **FINAL ROUND**

1. Two teams which have secured the highest marks shall qualify to the finals.
2. The oral arguments should not extend beyond the issues in the memorandums.
3. The researchers are also required to attend the oral rounds.

4. The team securing the highest marks in the Final Round shall be declared the Winner of the Competition. In case of a tie, the memorandum scores shall be used to declare the Winner.

## **VIII. AWARDS**

1. Winning team : INR 30,000
2. Runners-up : INR 25,000
3. Best Memorial : INR 10,000
4. Fr Praveen Hrudayaraj : INR 5,000  
Best Speaker Award
5. Excelsior Award : INR 5,000

All participating teams will be provided with an E-certificate of participation.

