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... Bastion of Knowledge...

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**OFFICE OF THE DEPUTY PRINCIPAL
ACADEMICS, STUDENT AFFAIRS AND RESEARCH**

UNIVERSITY EXAMINATIONS

2021 /2022 ACADEMIC YEAR

**FOURTH YEAR SECOND SEMESTER SUPPLEMENTARY
EXAMINATION**

**FOR THE DEGREE OF BACHELOR OF
COMPUTER SCIENCE**

COURSE CODE: COM 421

**COURSE TITLE: ENGINEERING AND SOFTWARE
LAW**

DATE:

TIME:

INSTRUCTION TO CANDIDATES

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THIS PAPER CONSISTS OF 5 PRINTED PAGES

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QUESTION ONE (COMPULSORY) [12 MARKS]

- a. You are on attachment at a local County ICT office. The office has unlimited access to the internet all the time. Since you are not on employment with a definite job to perform and target to meet, with relevant examples demonstrate the challenges you are likely to meet that relate to computer ethics and morality. [4 marks]
- b. i Differentiate between law and policy. [2 marks]
- ii. Examine three conditions that are necessary for a policy to become enforceable [3 marks]
- c. Wakasyaka and Michweya are neighbours in a remote rural setting. At one point they disagree over domestic issues. With your understanding of law, give reasons why common law would be the best approach to solve their disputes rather than using civil law. [3 marks]

QUESTION TWO (COMPULSORY) [12 MARKS]

- a. Kelly, a student at Alupe University College completes his studies in Computer Science and opens a computer repair shop at Alupe trading centre. Prisca, a second year student has a laptop which is defective. By virtue of knowing Kelly, Prisca takes her laptop to him and asks him to repair it and they agree that she will pay later. Kelly opens the laptop but on completion it stops working completely, worse than it was before Prisca brought it.
- i. Was there a contract between Prisca and Momanyi? Give reasons. [3 marks]
- ii. Can Prisca ask for compensation from Momanyi? [2 marks]
- b. Describe how the internet has been a detrimental tool in the development and creation of intellectual property. [2 marks]
- c. Give reasons why a whistle blower is an important person in an organization. [3 marks]
- d. What role can you as a Computer or IT graduate play in the development of progressive public policy on the responsible use of the internet. [2 marks]

Section B: (Q3-Q7 Attempt any 3 questions 12 marks each)

QUESTION THREE [12 MARKS]

- a. i. Discuss three characteristics of a professional. [3 marks]

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ii. Based on the above, are Computer Science and IT graduates professionals? Give reasons for your answer. **[4 marks]**

iii. The future is driven by Technology. As a Technology graduate and keeping in mind the above statement, what are the virtuous fundamental principles that you are expected to exhibit at your place of work **[5 marks]**

QUESTION FOUR [12 MARKS]

a. What is a disclaimer clause? **[2 marks]**

b. Explain the principles of due care and due diligence that as a technology worker you are expected to exercise in your working. **[4 marks]**

c. With examples discuss two categories of torts against a person. **[4 marks]**

d. In which ways can you use free software available on the internet as a source of livelihood when you have cleared your studies and have no job. **[2 marks]**

QUESTION FIVE [12 MARKS]

d. Read the following news story:

Facebook used its apps to gather information about users and their friends, including some who had not signed up to the social network, reading their text messages, tracking their locations and accessing photos on their phones, a court case in California alleges.

The claims of what would amount to mass surveillance are part of a lawsuit brought against the company by the former startup Six4Three, listed in legal documents filed at the superior court in San Mateo as part of a court case that has been ongoing for more than two years.

i. Basing your argument on Ethical egoism, what is your view on the above as a professional in Information Technology. **[4 marks]**

ii. Under which law Six4Three company bring up the above case? Give reasons **[4 marks]**

iii. If you were to be the judge in this case, with reasons what would be your verdict? **[4 marks]**

QUESTION SIX [12 MARKS]

a. i. With examples, differentiate between patent and copyright. **[2 marks]**

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b. Facebook is a social networking company that has acquired 69 other companies, including WhatsApp. The WhatsApp acquisition closed at a steep \$19 billion; more than \$40 per user of the platform.

i. In your opinion, why was Facebook willing to pay such a huge amount of money to acquire a company that has no real assets? **[2 marks]**

ii. Why do you think WhatsApp which doesn't have even a physical location nor a building is worth much more than Qatar Airways which has tangible assets like aeroplanes, buildings and a world class airport? **[2 marks]**

iii. As a Technology consultant for the government which has been set up to come with laws enforcing intellectual property rights, what are some of the recommendations you are going to give to the task force? **[4 marks]**

iv. Brainstorm on this statement "Will intelligent robots demoralize humanity?" **[2 marks]**

QUESTION SEVEN [12 MARKS]

a. Kiprotich has just gotten a job as a Computers and computing accessories sales person after his IT degree. He is a teleworking sales person with no office, only cellphone and laptop with internet. Discuss the advantages of Kiprotich's employment. **[3 marks]**

ii. As Kiprotich's manager, what are the managerial challenges and complains from Kiprotich you are likely to face out of this type of work arrangement? **[2 marks]**

b. Smart sex doll Samantha has reportedly been upgraded with the power to say "no," as demonstrated to a panel of "sexperts" at the Life Science Center in England. Samantha, built by Barcelona-based engineer Sergi Santos, listens, talks, sets the mood, and, ultimately, whips users into a frenzy.

Modeled after what is apparently Santos's ideal woman—enormous breasts, teeny waist, gaunt limbs, mermaid-esque hair—the intelligent cyborg "likes" to be touched on the arms, hips, chest, and face. She is trustworthy, kind, gorgeous and makes the best friend. She is so compassionate of others feelings and would never do anything to hurt others She is drop-dead gorgeous, but not conceited. She usually has long brown silky hair and big beautiful warm brown eyes. Her looks match her personality....she is so magnetic!

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She is in great shape and always put together perfectly! She is so compassionate to others and always tries to make someone smile. She is a genuinely sweet girl who never talks bad about anyone. Anyone who speaks bad of a Samantha is usually just jealous of her because she has everything they want but don't have!

- i. Based on subjective relativism theory, what do you think of engineer Sergi Santos? **[2 marks]**
- ii. As the president of your ICT start up company that wants to set up shop in Nairobi, would you consider including Samantha as one of the products in your shop? Give reasons. **[4 marks]**
- iii. Is it wrong to create machines capable of making human labor obsolete? **[1 mark]**
