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# GNOSIS

*Victoriam Legalis - Advocates & Solicitors | Newsletter*



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We here, at Victoriam Legalis, believe in continuous learning and growth, and agree that one way to do the same is to keep up with the developments and changes taking place around us.

We live in an Information Age, and while there is no dearth of knowledge and information, we, through this newsletter, hope to give you a consolidated account of relevant updates and developments.

In light of the same, we present to you the first issue of our newsletter, which we hope, you find beneficial!

Happy Reading!



# Media and Entertainment

## 1. Delhi High Court imposes ₹25 lakh on a website 'Sholay.com'

Sholay Media Entertainment & Anr. vs. Yogesh Patel and Ors., Justice Pratibha M Singh awarded the website Sholay.com Rs. 25 lakh in damages for infringing on the Sholay trademark. "Certain films surpass the borders of merely being regular words, and the title of the film 'SHOLAY' is one such them," Justice Pratibha M Singh said. Under trademark law, titles and films can be recognised, and in India, 'SHOLAY' is a typical example of such a case." "The defendants' use of the mark 'SHOLAY' was manifestly mala fide and dishonest, owing to the use of the infringing logo, designs, and sale of the DVD of the film 'SHOLAY' on the Defendants' website, among other things," the Court continued. For the reasons contained above, this Court is convinced that this is a fit case for award of costs to the Plaintiffs. Accordingly, the present suit is decreed for a sum of ₹25,00,000."

## 2. Punjab and Haryana High Court mandates license for playing music at wedding functions

In a recent judgement, the High Court of Punjab and Haryana rejected a notice issued by the Registrar of Copyrights, which claimed that the use of sound recordings in religious ceremonies, including marriages, did not necessitate the acquisition of a licence or the payment of royalties. The notification in question was issued in light of Section 52(1)(za) of the Copyright Act 1957, which defined "fair use" as the use of copyrighted works in conjunction with religious services, and so indicated that such use of sound recordings did not constitute copyright infringement. The High Court reasoned that marriage is distinct from the functions associated with marriage, and hence the existing tariff scheme would apply to performance of sound recordings at these functions connected to marriage, even though there was a religious undertone to the same.

## 3. Mariah Carey hit with a Copyright infringement suit

A copyright infringement suit has been filed by songwriter Andy Stone against the popular singer Mariah Carey claiming that she had co-written a song with the same title "All I Want For Christmas is You" in 1990. She is claiming damages of USD 20 million against her co-writer, Mariah Carey and Sony Music Entertainment.

## 4. US Copyright Office sued for denying authorship registration to AI Model

Stephen Thaler has filed a suit against the US Copyright Office and its director for denying his request to register an AI as an author of a digital image. He claims that he should be recognised as the owner of the work, as the work has been authored by an AI created by him, so it is a "work made for hire for a human", against the Copyright Office's contention that Copyright can only be granted for fruits of intellectual labour of humans.

## 5. Hailey Bieber Named in Trademark Lawsuit Over New Brand, Rhode

A week after the release of her highly anticipated Rhode beauty brand, Hailey Bieber is being sued by the LA fashion label Rhode over potential trademark infringement. In a lawsuit filed in Manhattan federal court, the label founded in 2014 by Purna Khatau and Phoebe Vickers and carried by luxury retailers including Net-a-Porter, Matchesfashion and Neiman Marcus, alleges that the model and influencer, whose middle name is Rhode, and two of her companies, have created market confusion by marketing a skincare line using the same name. The case calls for the court to protect the Rhode trademark and block Ms Bieber's use of the brand "Rhode" name.



## **6. Ed-Sheeran is awarded over 1.1 million in legal fees in the “Shape Of You” copyright case**

The two artists who sued Ed Sheeran for copyright infringement over “Shape of You” have been ordered to pay the pop star over \$1.1 million in legal fees. After Sheeran prevailed in the copyright suit, lawyers for the grime artist Sami Chokri and his co-writer Ross O’Donoghue tried to argue that their clients shouldn’t have to cover the legal expenses of Sheeran and his co-defendants — songwriters Steven McCutcheon and Johnny McDaid — due to their “conduct... both before and during the proceedings.” Judge Antony Zaccaro, however, rebuffed those claims and said Sheeran and co. were entitled to an “interim payment” of £916,200 (just over \$1.1 million).





# Technology and E-Commerce Updates

## 1. Digital Market Unit to be set up by CCI to assess conduct of e-commerce platforms

A dedicated Digital Markets Unit (DMU) is proposed to be set up within the CCI to deal with the increasing instances of competition law violations by e-commerce platforms and other firms in the digital sector. This step is to ensure that anti-competitive behaviour in the digital sector does not go undetected. These amendments are likely to be tabled in the monsoon session of the Parliament.

## 2. Binance teams up with Cristiano Ronaldo for NFT partnership

Binance, the world's largest crypto exchange by trading volume has announced a multi-year NFT partnership with football legend Cristiano Ronaldo. The firm plans to launch a global marketing campaign to promote web3 and provide football fans with a compelling entry point into the NFT market.

## 3. Solana Labs debuts Saga, a Web3 focused smartphone

Solana Labs has announced the launch of Solana Mobile Stack (SMS) software ecosystem for Android. The firm also made announcements of its Web3 smartphone Saga, which will be released in 2023. The phone will offer customers seamless cryptocurrency transactions and intends to help users with managing their digital assets, including tokens and NFT's.

## 4. Users will be able to create NFT-linked online stores on Shopify

Shopping site Shopify has introduced some new features. These include the introduction of non-fungible token (NFT) gated stores for small businesses. On Shopify, merchants get the facility to create e-commerce stores according to their needs. With the new feature, merchants will be able to open token gated stores to which people holding tokens of a particular brand will get access. The firm has also offered to sell NFTs on the online store directly from the blockchain. For this, a tie-up has been done with about a dozen apps connected to NFT. Blockchains for these transactions are Ethereum, Polygon, Solana and Flow Support.

## 5. PUBG makers create hyper-realistic virtual human

PUBG Mobile Creator Krafton created the company's first hyper-realistic virtual human, which he calls Ana, powered by Hyperrealism, Rigging, and Deep Learning. Ana is designed to "engage a global audience and help establish Krafton's Web 3.0 ecosystem."

Additionally, Ana has been developed using the Unreal Engine and the company says that Ana exhibits a hyper-realistic look, largely blurring the distinction between a digital character and a real human. Ana has been molded into human-like features such as a child's hair and its skin, making Ana truly different from any other artificial human that currently exists. Ana is developed through the Hyperrealism production technology of 'Unreal Engine.





# Fashion & Sports Law Updates

## 1. Puma launches first dedicated shopping app in Indian market

Sportswear brand Puma has chosen the Indian market as the first location in which to launch its dedicated shopping app globally as the German business renews its investment in the country. As demand for branded footwear and fitness wear expands in India, Puma aims to capitalise on this and launch its app in India before any other country. The app will offer more interactive features and the chance to shop on the go with ease.

## 2. FIFPRO Denounces Inconsistent CAS Jurisprudence On Sporting Succession

FIFPRO (Fédération Internationale des Associations de Footballeurs Professionnels) has grave concerns about contradictory decisions that the Court of Arbitration for Sport (CAS) is rendering in cases regarding so-called sporting succession – when a football club shuts down and returns as a new legal entity. Over recent years, there has been a surge in the number of clubs which returned to football while denying being responsible for the debts of the previous entity. In 2019, FIFA introduced a straightforward provision in its Disciplinary Code to increase legal certainty and ensure financial justice for creditors including players owed wages. The FIFA Disciplinary Code states clearly that the sporting successor of a club shall be held responsible for the obligations of its predecessor.

Yet, the jurisprudence of CAS on this subject over the last two years is highly confusing, contradictory and moves away from both the intention as well as the literal text of the relevant provision in the FIFA Disciplinary Code.

## 3. JPO rejected Colour mark of Louboutin's Red Shoes

The Appeal Board of the Japan Patent Office (JPO) decided to reject a red color mark used on the soles of high heels by Christian Louboutin due to a lack of inherent and acquired distinctiveness. Christian Louboutin filed a trademark application for a color mark consisting of a red colored in soles for use on high heels in class 25 on April 1, 2015. The JPO denied the colour mark based on Article 3(1)(iii) of the Japan Trademark Law, stating that red is a typical colour used on shoes to enhance aesthetic appeal and attract high heel consumers. Before and after the launch of Louboutin shoes in Japan in 1996, red-colored heels and shoes were readily available. The examiner saw no basis to think that the colour mark perse had gained distinctiveness as a source indicator of Louboutin among relevant consumers in Japan, given the circumstances and trading practise. If this is the case, the mark is not registrable under Article 3. (2). Louboutin filed an appeal against the refusal and disputed the inherent and acquired distinctiveness of Louboutin's red soles as a color mark on October 29, 2019.

## 4. Adidas files lawsuit against Nike for patent infringement

Adidas has sued Nike for allegedly infringing its patents by launching similar mobile applications and footwear technology. This marks the first time Adidas has filed a federal lawsuit against Nike, and follows Nike's lawsuit against Adidas last year. Adidas claims that Nike's Adapt system, which loosens or tightens shoelaces based on the shape of a wearer's foot, infringes on a patent connected to its Adidas\_1 sneaker, which it claims is the "world's first intelligent running shoe".

The business further claims that Nike's exercise apps infringe on its patents, which includes location-based run tracking, audio feedback on performance, and a system for creating a training plan. Adidas says that millions of users have downloaded its training and running apps, which it first started launching in 2008.



Lastly, the company said that Nike's SNRKS app, which sells limited-edition shoes, infringes on a patent that is connected to confirming the authenticity of a potential buyer.

#### **5. Kim Kardashian Hit With Trademark Lawsuit Over SKKN By Similarly-Named Co.**

Kardashian's newly launched beauty brand has been hit with a trademark lawsuit filed by Beauty Concepts LLC, a four-year-old skincare company that operates under the brand name SKKN+. According to The Fashion Law, the complaint claims that Kardashian's corporate entity Kim's a princess, Inc. and cosmetics giant Coty, Inc. are liable for trademark infringement, unfair competition, and civil conspiracy under New York law for using the SKKN by Kim mark on goods and services that are "identical to, or highly related to, services offered by Beauty Concepts under [its own] SKKN+ trademark." A Brooklyn-based skincare boutique that offers facials and body treatments, SKKN+ argues that the similarities between its brand name and SKKN by Kim are likely to cause confusion among consumers, resulting in irreparable damage to the company.

[Click Here](#)





# Corporate & Commercial Law Updates

## 1. New framework identifying fraud reviews on e-commerce sites

In light of the issues raised by various stakeholders, with regard to bought reviews and unverified reviews on E-commerce websites, the Union Ministry of Consumer Affairs, Food and Public Distribution has stated that the government will be developing a new framework to identify such fake reviews. The new framework will be developed, based on a review of the existing mechanism followed by E-commerce entities in India and the global best practices. Shopping on E-commerce platforms is a virtual experience and consumers cannot physically test the products before making the purchase. Fake reviews on E-commerce platforms is therefore a crucial problem that has to be resolved, since consumers purchase products by relying on the previous online reviews.

The Union Ministry also mentioned some of the difficulties that are faced with regard to detecting fake reviews, which includes traceability to authenticate the reviewer and the platform's associated liability. The new framework will aim to resolve these issues by discussing the same with the E-commerce entities, to determine the manner in which they select the most relevant reviews to be displayed on the website.

## 2. Multi-film Licensing deal between Amazon Prime and Nadiadwala Entertainment

Amazon Prime Video and Nadiadwala Grandson Entertainment (NGE), have recently signed a multi-film licensing deal, which will allow Prime Video users to access the next six films from the NGE stable, including Bawaal, Sanki, Baaghi 4, among others, following the theatrical releases of these films. The same films can also be rented by the users on Prime Video's recently launched pay-per-view service in the 'Early Access Rental' window.

## 3. Changes proposed to IT Rules 2021 allowing overriding of social media accounts

A draft seeking amendments to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 has been proposed by the Central Government. The draft imposes a greater burden on social media companies to set up a vigil mechanism and ensure its compliance while dealing with illegal and inflammatory content. A Grievance Addressal Committee (GAC) is also proposed to be set up by the Central Government to hear appeals against the orders of the grievance officers of a company who order for removal of any content.

## 4. Issuance Of Post Dated Cheques Is Not An Unqualified Admission Of Debt

The National Company Law Tribunal ("NCLT"), Allahabad Bench, while adjudicating an application filed in N.C. Goel & Maya Goel v Piyush Infrastructure India Pvt. Ltd., has held that issuance of post dated cheques cannot be taken to be unqualified admission of debt, because the presumptions drawn under Section 118 and Section 139 of the Negotiable Instruments Act, 1881, are rebuttable presumptions.

## 5. E-Commerce monopolistic practices to be curbed by CAIT campaign

In order to curtail the anti-competitive practices carried out by big corporate houses, the Confederation of All India Traders (CAIT) will be launching a campaign to form clusters of traders on the cooperative model. CAIT will encourage and educate traders to form clusters and pool their resources including finance, technology and marketing in order to improve their purchasing power, negotiating with producers and also to obtain goods at competitive prices. The institution is also planning to propagate a consortium scheme, where traders in different trades with varying lending capacity will be able to form a consortium and lend capital, technology as well as marketing skills.



# Hospitality & Real Estate

## 1. NFT coded property papers in Kolkata's new town

After using blockchain technology for issuing birth certificates the New Town Kolkata Development Authority (NKDA) is planning to use non-fungible tokens or cryptographic assets on a blockchain with unique identification codes and metadata to issue property registration certificates and maintain land records in the New Town. The NKDA's aim is to make land documents tamper-proof to eradicate illegal and fake sales.

## 2. Nagpur Investment Trust fixes high premium for commercial use of industrial plots

The Nagpur Improvement Trust (NIT) has fixed a high premium for commercial use of industrial plots. It is much higher compared to what the state government approved four years ago. Its board of trustees on Thursday decided that a premium of 50% of ready reckoner value will have to be paid by an applicant for conversion of usage on industrial plot measuring over 4,001 sqft.

## 3. Introduction of use of Robots in the food sector

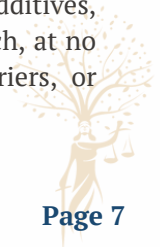
The implementation of robotics and automation in the food sector offers great potential for improved safety, quality and profitability by optimizing process monitoring and control. Robotics can help manage crops, automate certain processes and thereby free up a lot of time for farmers to focus on issues that need human intervention. Robots are equipped with intelligent vision systems allowing the very specific placement of products on a belt to be done with incredible accuracy. They are also very helpful in monitoring the food safety measures. Robots in restaurants, also called automated restaurants, are making the food industry safer, personalized and more efficient. These robots have the potential to significantly improve restaurant operations. Their effects aren't limited to one particular part of a restaurant and can help improve overall business.

## 4. New guidelines introduced regarding recycled plastic as food contact material

The food safety and standards authority of India (FSSAI) has issued regulations connected to recycled plastic material as food contact material. The food authority in this regard has equipped a draft to amend the packaging materials. Under these mandates, products formed with the use of recycled polyethylene terephthalate (PET) may be used for packaging, storing, carrying or dispensing of food products as and when standards and guidelines are notified by the Food Authority. The guidelines related to the recycling process of transforming post consumer PET bottles utilized for packaging of food grade recycled resins applicable for preparing bottles and packaging material for bottling or packaging and its testing. The guidelines also cover the acceptance criteria for using food upgrade recycled PET resin material in bottling or packaging operations.

## 5. FSSAI comes up with new guidelines for vegan food

In order to curb sale of fake vegan foods, food regulator FSSAI has come out with regulations by defining what constitutes vegan foods and listed out various specifications to be followed for manufacture, sale and import of such food items. Food Safety and Standards Authority of India (FSSAI) has come out with the Food Safety and Standards (Vegan Foods) Regulations, 2022. "Vegan food means the food or food ingredient, including additives, flavourings, enzymes and carriers, or processing aids that are not products of animal origin and in which, at no stage of production and processing, ingredients, including additives, flavourings, enzymes and carriers, or processing aids that are of animal origin has been used," the FSSAI said in its definition.





## **6. From July 1, Building permissions Only Online Mode In Maharashtra**

Maharashtra urban department principal secretary Bhushan Gagrani said that building permissions in all corporation and council areas of the state would be provided only through online mode from July 1. The online system would make the process seamless and the applications would be tracked with no manual intervention. The online process was introduced after Maharashtra started the Unified Development Control and Promotion Regulations for the state in December 2021 and all municipal corporations (barring Mumbai) and councils were brought under the ambit of the new rules.





# Litigation & Dispute Resolution

## 1. Bank of India refers over 3 lakh cases involving Rs 5,700 cr to National Lok Adalat

Bank of India (BOI) said it has referred 3,20,116 cases amounting to Rs 5,700.16 crore to National Lok Adalat conducted on March 12, 2022. Of these, 12,224 cases were settled involving an amount of Rs 102.53 crore, the bank said in a release.

“An amount of Rs 23.76 crore have been recovered upfront on March 12, 2022. Efforts are on to recover the balance of compromised amount within the time frame stipulated in the award,” the bank said adding that due consideration was given to Covid-affected customers while arriving at settlement terms. The lender participated in the first National Lok Adalat of 2022 organised on March 12 by the Legal Services Authorities across the country, under the aegis of National Legal Services Authority.

## 2. Elected members can't be stopped from taking charge after results are ratified: Supreme Court

The Court allowed an appeal against an order of the Madras High Court preventing the winners of the election for the Shree Coimbatore Gujarat Samaj General Body from taking charge of their respective offices. The Supreme Court recently observed that after the results of a poll are announced and ratified, there remains no reason to stop elected representatives from assuming office.

## 3. Court Can't Decide Disputed Questions Of Facts U/S 11(6) Arbitration Act, Question Of Arbitrability Can Be Examined By Arbitral Tribunal: Gujarat HC

High Court cannot decide disputed questions of facts in a petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 for the appointment of arbitrator, the Gujarat High Court has held.

The Bench comprising Chief Justice Aravind Kumar observed, "All these issues including arbitrability can be examined by the Arbitral Tribunal itself." The observation was made while deciding the application preferred by the Petitioner for appointment of sole arbitrator in connection with a dispute arising from agreement relating to operation of a restaurant owned by the respondent.

## 4. MCA Lets Businesses To Make Fresh Start On Compliance Defaults

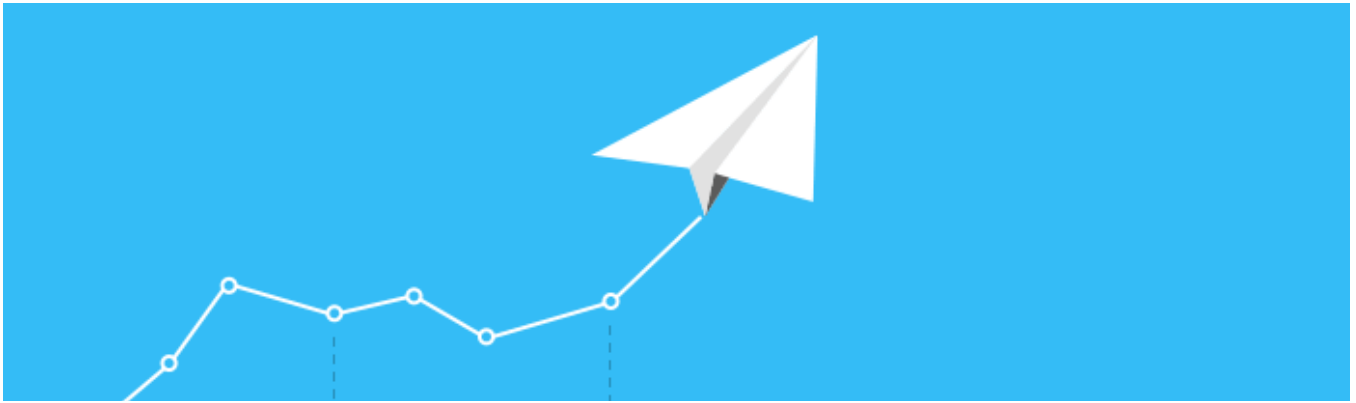
The Ministry of Corporate Affairs on Monday allowed businesses to make a fresh beginning as fully compliant entities by making good any defaults related to statutory filings, irrespective of the duration of the default. An official statement from the ministry said the idea is to give relief to law-abiding companies and Limited Liability Partnerships (LLPs) in the wake of the coronavirus pandemic.

The opportunity for a fresh beginning is given to companies through the 'companies fresh start scheme, 2020' and to limited liability partnerships through revising an existing 'LLP Settlement Scheme. The schemes seek to incentivize compliance and to reduce compliance burden during the unprecedented public health situation caused by the pandemic, the ministry said.



Both the schemes give immunity to businesses from penal provisions, including the imposition of penalties for late submissions. They also offer additional time for filing appeals before the concerned Regional Directors against the imposition of penalties, if already imposed. “However, the immunity is only against delayed filings in the MCA 21 (the online portal for making statutory filings) and not against any substantive violation of the law,” the ministry said.





# Start-Up Advisory & Consultancy

## 1. Sequoia Capital closes largest India and SEA dedicated fund at \$2.85 billion

Sequoia Capital has funded \$2.85 billion to invest in Indian and Southeast Asian businesses, the region's largest dedicated corpus by a risk investor. It will invest \$2 billion in India's venture and growth capital, with the remainder going to Southeast Asian enterprises. Sequoia has designated allocations specifically for India and Southeast Asia (SEA) for the first time, a geography where it has been operating for the past five to six years. Sources in the know said the fund will plough \$300 million from its India venture and SEA vehicles for seed-stage investments. Sequoia has so far deployed \$6 billion in India and SEA across more than 400 firms since launching its India franchise back in 2006.

## 2. China cyberspace regulator drafts new rules to protect minors

According to draught regulations released on Monday by China's Cyberspace Administration, companies engaging in online gaming, livestreaming, audio, and video shall put up a "youth mode" to protect minors. According to CAC, large platforms should conduct frequent assessments on cyber protection for kids in order to offer a "clean" online environment for them, as well as set daily spending limits for minor users. Tencent Video and iQIYI, two of China's most popular video streaming sites, as well as ByteDance-owned short video platform Douyin, have already created a "youth mode" for minors. China's authorities have long been concerned about young people's addiction to gaming and the internet.

## 3. Biotech startup Helex brings precision to gene editing

Helex, a New York based biotech startup founded in 2021 by Poulami Chaudhari and Rohini Kalvakuntla says that it has developed a platform that acts as a GPS to improve the precision and safety of the gene editing done through CRISPR.

## 4. Zomato acquires Blinkit

Food delivery application Zomato plans to start integrating Blinkit on multiple fronts after approval of the proposed acquisition. The company said the markdown in Blinkit's valuation was due to macroeconomic factors. Zomato's board okayed its acquisition of quick commerce startup Blinkit for INR 4,447 crore (USD 570 million) in an all-stock deal. Zomato executives indicated that once the transaction closes, the priorities would be customers and delivery fleet integration. Zomato may consider moving Blinkit on the Zomato app.

## 5. Government bans ads promoting online betting citing financial risk for consumers

The Ministry of Information and Broadcasting issued an advisory on Monday banning advertisements promoting online betting. Citing 'financial and socio-economic risk for consumers', the government asked print, electronic and digital media to refrain from advertising online betting platforms.

The advisory comes in light of instances of a number of advertisements of online betting websites and platforms appearing in print, electronic, social and online media.



“Betting and gambling, illegal in most parts of the country, pose significant financial and socio-economic risk for the consumers, especially youth and children,” the advisory states.

It has further added that these advertisements on online betting have the effect of promoting this largely prohibited activity.

“The advertisements of online betting are misleading, and do not appear to be in strict conformity with the Consumer Protection Act 2019, Advertising Code under the Cable Television Networks Regulation Act, 1995, and advertisement norms under the Norms of Journalistic Conduct laid down by the Press Council of India under the Press Council Act, 1978”, it has stated.





# Cryptocurrency – Supply & Demand, Adoption and Glossary

- Ishika Rangras

## INTRODUCTION:

Cryptocurrency is a digital payment system that is not dependent on the banks in order to review the transactions. It's a system which can help to transact money. Instead of being in physical form which can be carried around and exchanged in real world, cryptocurrency payments exist purely as digital entries to an online database describing specific transactions. They are stored in digital wallets. The first cryptocurrency was Bitcoin, which was founded in 2009 and still remains the best known today.

Cryptocurrencies are on high risk despite having the flexibility of transacting anywhere. In 2021, the value of the cryptocurrencies got a steep rise with just a single tweet of the billionaire and Tesla CEO Elon Musk. The single tweet gave the rise by 10%. Similarly, in 2021, after the post of the Elon Musk, the price dropped of by 20%. This can give the sense that just by the single tweet the entire prices can fluctuate. It can lead to the situation where the investors are questioning about the solidity of the market.<sup>1</sup>

But the biggest question here is, how will someone have the knowledge about the real cost crypto has in the market. Cryptocurrency is something that is issued by the company and also not backed by any government out there. As seen by the real example if by the single tweet the entire currency can fall then how can someone invest in that money? The next subject of the article will discuss the same which is 'Prize of the Cryptocurrency'

## PRICE OF THE CRYPTOCURRENCY- HOW TO DERIVE THE SAME:

Cryptocurrency is the type of the money which is traded and it goes cashless. But the real question arises is what is the amount in which cryptocurrency is to be traded? As for example the international trading amount is decided by the standard USD so if the trading of the said goods is to be done through cryptocurrency then how will the prices be decided for the same. It has been stated by the researchers that 'Cryptocurrencies aren't pegged to USD or any other fiat currency, nor they are linked to any particular country or to an exchange.'<sup>2</sup>

<sup>1</sup> Molla R.; When Elon Musk tweets, crypto prices move; <https://www.vox.com/recode/2021/5/18/22441831/elon-musk-bitcoin-dogecoin-crypto-prices-tesla>.

<sup>2</sup> Bloomenthal A.; What determines Bitcoin Price; (2022); <https://www.investopedia.com/tech/what-determines-value-1-bitcoin/>.



Cryptocurrency/ Bitcoin is not issued by any central bank or is not backed by a government; therefore, monetary policy tools, inflation rates, liquidation, economic growth measurements are the factors that mostly affect the price of the cryptocurrency. The factors which influence the price of the bitcoin are:

1. Supply
2. Production cost of bitcoin
3. Cost of producing through mining process.
4. Competition
5. Regulations governing the same
6. Media coverage<sup>3</sup>

The prices of the cryptocurrency are based on the amount it has been traded and there is no standard procedure laid down to price the currency so the amount of the same keeps on fluctuating. Also, it is calculated using the global- weight average price formula based on which pairing is available on different exchanges of a particular crypto asset. The price of the crypto fluctuates with every exchange. Most of the exchanges which takes places for cryptocurrency are small, highly speculative and in irrational market. As per the data of 12<sup>th</sup> September, 2022; the cryptocurrency market is up by \$1.3 trillion and there was 1.1% change in the last 24 hours.<sup>4</sup>

#### **24h Volume:**

This volume amounts for the cryptocurrency bought and sold across all exchanges within the last 24 hours. For example, if the 24h volume of Ethereum is INR 1.1 Trillion, it implies that INR 1.1 Trillion worth of Ether has been sold and bought in the last 24 hours.

#### **COUNTRIES STATUS ON CRYPTOCURRENCY:**

As mentioned above, cryptocurrencies are issued by the companies and not by the government. Due to this there are different countries with different rules/ regulations that permit/ restrain the use of crypto . The next section of the article is going to look on this segment of countries.

#### **INDIA'S STATUS ON CRYPTOCURRENCY:**

India is the country where cryptocurrency is growing rapidly. Despite all the barriers phase by this currency citizen's of India are investing in this currency. Cryptocurrency was introduced in India in 2008. In 2010, first sale of Bitcoin took place. In 2016, post demonetization, India's situation changed and country started to move towards the digital payments method. Due to this, Indian banks started allowing the transaction through the medium of cryptocurrency. In order to curb the same and to spread the awareness, Reserve Bank of India (hereinafter termed as RBI) with Finance Ministry released the circular in 2017 stating that "this currencies are not a legal tender."

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<sup>3</sup> Ibid no. 2

<sup>4</sup> [https://www.business-standard.com/article/markets/cryptocurrency-and-bitcoin-price-today-12-sept-btc-grows-over-2-per-cent-122091200634\\_1.html](https://www.business-standard.com/article/markets/cryptocurrency-and-bitcoin-price-today-12-sept-btc-grows-over-2-per-cent-122091200634_1.html).



After the release of this circular, in 2018 a draft scheme was proposed by Central Board of Digital Tax (CBDT) banning this new medium of exchange. This was approved by the RBI and cap was put on such transactions. It was given with the fine or imprisonment for 10 years or both. But there was a wave post this declaration of RBI, calling #IndiaWantsCrypto which became so massive that in 2020 Supreme Court has to declare the RBI circular as unconstitutional bringing back the exchanges in the form of crypto.

In 2021, Finance Ministry stated that government has not yet taken any severe step regarding the advertisement of crypto, but through RBI and Securities and Exchange Board of India (hereinafter referred to as SEBI) it will try to spread the awareness. In the budget of 2022-23, the government highlighted that if the transfer of any virtual currency/ Cryptocurrency takes places then it will be liable to pay 30% tax as well as if it is beyond the certain monetary threshold than 1% TDS deduction will be liable.

Also, Digital Rupee, which is supposed to be India's first Central Bank Digital Currency (CBDC) project, is the form which will be completely regulated as well as backed by the Central Government.<sup>5</sup>

### **Other Countries status on Cryptocurrency:**

Cryptocurrency is the topic which is either completely banned or partially banned in many countries. As per various research more than 40 countries have either completely banned or partially banned the use of cryptocurrency. The wave of putting the cap on the digital transaction in the way of Cryptocurrency is not just which is spreading currently but this wave has been started in 2017. Iraq is among the very first country who has banned the use of cryptocurrency as a whole. The other well-known countries which accompany Iraq in this race of the banning completely is Qatar (2020), Turkey (2021), China (2021), North Macedonia, Egypt. Russia is one of the countries who has not completely banned the use but has not allowed also. It has given the legal status to the currency but the civilians cannot own the crypto as their own assets.<sup>6</sup>

### **SLANGS USED IN CRYPTOCURRENCY:**

The person who entered the market of the cryptocurrency faces the difficult to understand the market not because of the variation it holds compare to the other market but also because of the slangs this market uses for trading in crypto. The crypto terms which are floating around in the market are many but they are having simple meaning and understanding, making people float through this ride smoothly. The jargon which are most commonly used are-

#### **1. Wen Moon:**

This is the most common jargon used in the market of crypto. It means that "investors are waiting for the bulls to overtake the bears and send crypto prices shooting for the moon once again." This term gain its popularity in 2017 when the prices of cryptocurrency were very high. Wen moon also has some common offshoots, one of which is Wen Lambo. This term originated from the concept where successful crypto investors would buy a Lamborghini with their earnings from the crypto. So, to sum up this is a way of asking someone when they will get rich by selling their crypto holdings.

<sup>5</sup> India's position on Cryptocurrency vindicated by global trends; 2022; <https://economictimes.indiatimes.com/tech/technology/indias-position-on-cryptocurrency-vindicated-by-global-trends/articleshow/92668864.cms>.

<sup>6</sup> Countries which have banned or restricted cryptocurrency; (2022); <https://economictimes.indiatimes.com/news/web-stories/countries-which-have-banned-or-restricted-use-of-cryptocurrency/slideshow/89153960.cms>.





## **2. Rekt:**

The word Rekt originated from the word “wrecked”. It is used to indicate the project of crypto which is destroyed completely and is also used to describe a financial loss. For e.g. Terra Luna Rekt crashed which led to the price crash to \$0.

## **3. Rugged:**

This term is similar to that of Rekt. It describes a group of person who have been duped by a rug pull. A rug pull is a “type of scam where bad actors set up fake crypto or NFT Projects and hold fundraising events for these fraudulent networks.” And post receiving enough money they run away with the funds they receive. When the person falls for the trap they are known as “rugged.”

## **4. Flipping:**

In the market of cryptocurrency, Bitcoin is holding the first position whereas Ethereum is holding the second. This term refers to a situation where the market cap of Ethereum (hereinafter referred to as ETH) is overtaking by that of Bitcoin (hereinafter referred to as BTC). Under this system, ETH will be replaced by BTC as the largest cryptocurrency by market capitalisation. Market capitalisation means how much cryptocurrency is in supply multiplied by the current market price.

## **5. NFA:**

Crypto is the market which is very vague and un-predictable. Still without any certainty some expert predict the price of the crypto and whereas the amount of the same will rise or face a downfall. But this type of suggestion are just the opinions of the experts. Some people believing in the opinion invest in the projects which end up with the situation of facing the financial loss. In such situations, investors could hold the experts responsible for the loss the investors suffer. So, in order to safeguard the experts, they include in the video, articles and tweets, the term “not financial advice” or NFA. This means that their suggestion are merely opinion and they should base their entire investment on their own research.

## **CONCLUSION:**

World is moving towards the trend of digitalization whereas Cryptocurrencies/Bitcoin are the digital currencies which can match with the changing world. But these currencies rather being stable are fluctuating which causes the currency to notice the steep rise as well as the downfall. Cryptocurrency is controlled by the companies issuing and are not backed by any government or the central bank. This causes more risk to be associated with such type of currency and there is no legal tender related to it. On the other hand, regardless of being launched from such a long time they have not created that impact on the market as more than 40 countries have either banned/ partially banned the trading in this currency. India would be probably the first country to launch this type of currency which would be backed by the Central Government. On the other side, this currency are to be needed in the market but more protection is to be associated with it as investors interest can also be safeguarded.



## Get in Touch

We hope you enjoyed reading the newsletter, and we would love to hear your thoughts on what you want to be covered in our next edition!

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