

**SCHOOL OF LAW****FINAL EXAM: JANUARY- APRIL 2022****CODE: LLB 406****UNIT: MUSIC AGREEMENT AND
LICENSING LAW**

INSTRUCTIONS:**TIME: 1 HOUR****The Exam comprises of one question****QUESTION ONE: (30 marks):**

Question 1

Frilly Frocky writes a song, registers it with the Copyright Office, and then transfers a license to Pony Stars Music on January 1st 2020 for a lump sum of Kshs 200,000. She will receive Ksh. 1 million annually for 15 years. This license is valid only in the coastal region of Kenya. A week later, Frilly attempts to give another license for the same song to Gospel Tunes – a Radio broadcaster for a lumpsum of Ksh. 800,000 with annual royalties of Ksh. 2 million. Gospel tunes is a radio station that broadcasts all over the country including in the coastal region. Pony Stars Music registered the agreement March 31st 2020 whilst Gospel Tunes registered February 28th 2020. Both licenses have clauses on alternative dispute resolution. Pony Stars got wind of the transaction and are aggrieved. They have approached you for a Legal opinion on the viability of a successful dispute resolution in their favour. Your task is to critically analyse and highlight the rights and obligations of all parties.

(30 marks)

