

Copyright Rules, 1959

PUNJAB

India

Copyright Rules, 1959

Rule COPYRIGHT-RULES-1959 of 1959

- Published on 1 January 1959
- Commenced on 1 January 1959
- [This is the version of this document from 1 January 1959.]
- [Note: The original publication document is not available and this content could not be verified.]

Copyright Rules, 1959 Rules framed by Punjab High Court under section 73 of the Copyright Act, 1957 In exercise of the powers conferred by section 73 of the Copyright Act, 1957 (Act No. 14 of 1957), the Punjab High Court has made the following rules -

1. Short title.

- These rules may be called the Copyright Rules, 1959.

2. Definitions.

- In these rules unless there is anything repugnant in the subject or context -(i)'The Act' means the Copyright Act, 1957 (No. 14 of 1957).(ii)'The High Court' means the High Court for the State of Punjab at Chandigarh.(iii)'The Registrar' means the Registrar of Copyrights and includes the Deputy Registrar of Copyrights appointed under the Act;(iv)'Copyright Board' means the Copyright Board appointed under the Act.(v)'The Deputy Registrar (Judicial)' means the Deputy Registrar (Judicial) for the High Court of Punjab at Chandigarh and includes the Assistant Registrar in the Circuit Court at Delhi.

3. Presentation of Appeals.

- Subject to these rules, all appeals from a final decision or order of the Copyright Board shall be made to the High Court in accordance with the provisions of Chapter I, High Court Rules and Orders, Volume V.

4. Disposal of appeals.

- Appeals under rule 3 shall be heard and disposed of by a Bench of two Judges.

5. Contents of appeals.

- Every memorandum of appeal under section 72 of the Act shall be drawn up in the manner prescribed by Order XLI, Rule 1 of the Code of Civil Procedure, and shall be presented to the Deputy Registrar (Judicial) accompanied by a certified copy of the final decision or order appealed from.

6. Court fee.

- Every Memo of appeal under section 72 of the Act shall bear a court fee as provided in Art. 11 of the Schedule II of the Indian Court Fees Act.

7. Register of appeal.

- There shall be kept a separate register of appeals from a final decision or order of the Copyright Board.

8. Notice.

- Notice of appeal shall be in the form prescribed for notice issued in Regular First Appeals, with suitable modification, so as to make it clear that it is an appeal from a final decision or order of the Copyright Board.

9. Contents of paper-book.

- In all appeals admitted to a hearing printed record shall, unless special orders are given to the contrary, be prepared in accordance with the provisions of Chapter 2-A, High Court Rules and Orders, Volume V, which will apply mutatis mutandis save and except that the printed record shall be -(i)Petition of application before the Board.(ii)Written statement of petition of objection or reply as the case may be.(iii)Deposition of witnesses, if any.(iv)Copies of documents exhibited before the Board.(v)Copies of any documents rejected by the Board, where its rejection is a ground of appeal or cross objections.(vi)Copy of the final decision or order of the Copyright Board.(vii)Copies of all affidavits and records used by the Board under Section 74 of the Act.(viii)Such other document or documents as the Court may direct to be included.(ix)The grounds of appeal to the High Court in English.(x)The order of the Bench admitting the appeal.

10.

The paper-book shall have an index. There shall be a printed paper-book, unless the Court otherwise directs.

11. Specifying documents to be printed.

- The Deputy Registrar (Judicial) shall as soon as an appeal is admitted, request the Copyright Board to transmit the record of the case to the High Court. Where and in so far as the record consists of an entry in a register kept by the Registrar of Copyrights or the Copyright Board, only a certified copy shall be transmitted. Upon receiving the record, the Deputy Registrar (Judicial) shall cause notice to be given to the appellant and respondents, or their counsel, if any, to specify within 30 days of the date of receipt of notice the documents mentioned in rule 9-A(V) above, which should be included in the printed record of the appeal. In default of their doing so, the printed record shall consist of the documents specified in Rule 9-A(i) to (iv), (vi), (vii), (viii), (ix) and (x) only.

12. Taxation Costs.

- Taxation of costs shall be as in Regular First Appeals in Civil cases.

13. Application of the Code of Civil Procedure and rules and forms of the Court.

- In cases not provided for in the foregoing rules the provisions of the Code of Civil Procedure, 1908, and the Rules and Forms of High Court of Punjab at Chandigarh shall apply mutatis mutandis to all proceedings under the Act.

14. Table of fees applicable.

- Process fees shall be charged according to the table of fees for the High Court given in Ch. 5-B, High Court Rules and Orders, Volume IV.