

IN THE MATTER of clarification regarding ~~No Objection Certificate~~
the Author in reference to Registration of Copyright of Literary work titled
"Curriculum Documents: Post Graduate Diploma in Fashion Retail".

Hearing held on 14.12.2017

Present: Adv. Pareet Karan Singh Nagi

ORDER

An Application with the Diary Number 13644/2010-CO/L (New No. 441/2012-CO/L) was made by the Applicant for Literary Work titled "Curriculum Documents: Post Graduate Diploma in Fashion Retail". On Scrutiny, it was found that the No Objection Certificate from the Author was not submitted along with the Application Form. Accordingly, a Discrepancy Letter dated 15.01.2013, was issued to the Applicant for removing the discrepancy. In reply dated 10.04.2013, the applicant submitted that *the notice of application for registration of copyright in the above said literary work has been given to the author of the work in accordance with Rule 16(3) of the Copyright Rules 1958 and further claimed that the rules thereof nowhere provides that No Objection Certificate should be filed along with an application for registration of copyright.*

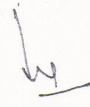
As the discrepancies were not removed, therefore, the matter was presented before the Registrar of Copyrights. The Notice dated 16.11.2017 for hearing in the matter on 14.12.2017 was issued.

During the course of hearing, the Attorney for the Applicant has recorded his submissions that the erstwhile attorneys for the Applicant, Lall Lahiri & Salhotra, have filed the requisite No Objection Certificate from the author of the work vide letter dated 06.05.2014. Copy of the letter with the receiving stamp of Copyright Office dated 07.05.2014, was also recorded as submissions. Further, the Attorney on behalf of the Applicant submitted the General Power of Attorney dated 29.03.2016.

So, it is evident that the Applicant has submitted the relevant documents.

In view of the above, the discrepancies are removed pursuant to the submissions recorded by the Applicant and therefore the application with the above diary number shall be processed for registration as per rule.

Signed and Sealed at New Delhi on 14th day of December, 2017.


14.12.17
(Hoshiar Singh)
Registrar of Copyrights