

**GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:2358
ANSWERED ON:09.08.2005
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Jindal Shri Naveen

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) Whether the prescribed guidelines/procedures are being followed by the Registrar copyrights for registration of copyright over a drawing or design of commonly found objects and shapes or engineering products;
- (b) if so, whether the Registrar checks from Patents Office as well as the Office of the Registrar Designs under the Designs Act before registering a copyright of such objects/ drawing to see whether any such claims were made to those offices along with the results of such claims;
- (c) if so, whether any mechanism has been evolved to see to it that claims for Patents, which have been rejected under Patents Act, do not indirectly secure monopoly by getting registration over drawings of such objects under Copy Right Act;
- (d) if not, the time by which such mechanism is likely to be evolved and the action taken against the officials/individuals in getting the registration of a drawing/design of a commonly found pipe on the grounds that it is an artistic work of 175 mm outer diameter MS steel tube;
- (e) if so, whether the Government has received complaints from manufacturer or associations that they are being threatened to deal in such pipes only through the party that has secured the copyright; and
- (f) if so, the details thereof along with action taken in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVLEOPMENT (SHRI M.A.A. FATMI)

- (a) Yes, Sir. The process of registration of copyright, undertaken by the Copyright Office in accordance with Section 45 of the Copyright Act, 1957, requires the particulars of a work, as furnished by the applicant in the prescribed manner, to be entered in the Register of Copyrights.
- (b) No, Sir. There is no such provision under the Copyright Act, 1957 or the Copyright Rules, 1958.
- (c) Does not arise.
- (d) Does not arise.
- (e) Yes, Sir. However, the Copyright Office is not competent to deal with any such complaints.
- (f) Does not arise.