

No.F.
GOVERNMENT OF INDIA
MINISTRY OF HUMAN RESOURCE DEVELOPMENT
(DEPARTMENT. OF EDUCATION)

Copyright Office
B-2/W-3, Curzon Road Barracks
K.G. Marg, New Delhi – 110001
Tel : (011) 23382458; 23382549 Ext.31

Dated the

To

Sir/Madam,

Would you kindly refer to your letter dated enquiring about the procedure for the registration of Copyrights.

2. Section 44 of the Copyright Act, 1957 (14 of 1957) provide for the registration of all works in which copyright subsists.

3. Chapter IV of the Copyright Rules, 1956 sets out the procedure for the registration of a work. These Rules have been amended by the Ministry of Human Resource Development (Department of Education) Notification No.GSR 602(E) published in the Gazette of India (extraordinary) Part III, Section 3, Sub Section (i) dated 10-8-1984, copies of the Act and Rules can be obtained from the Manager of Publications, Publication Branch, Civil Lines, Delhi or his authorized dealers on payment. (The Copyright Rules have been further amended vide Gazette Notification GSR(E) dated 27th April, 1992). The procedure for registration is as follows:

- a) Application for registration is to be made on Form IV (including Statement of Particulars and Statement of Further Particulars) as prescribed in the first schedule to the Rules, as amended;
- b) Separate applications should be made for registration of each work;
- c) Each application should be accompanied by the requisite fee prescribed in the second schedule to the Rules, as amended; and
- d) The applications should be signed by the applicant and if he has an advocate in whose favour a Vakalatnama or Power of Attorney has been executed, should also be signed by the Advocate.

Each and every column of the Statement of Particulars and Statement of Further Particulars should be replied specifically.

4. Both published and unpublished works can be registered. Copyright in works published before 21st January, 1958, i.e., before the Copyright Act, 1957 came in force, can also be registered, provided the works are still in Copyright. Three copies of published work may be sent along with the application. If the work to be registered is unpublished, a copy of the manuscript has to be sent along with the application for affixing the stamp of the Copyright Office in profit of the work having been registered. In case two copies of the manuscript are sent, one copy of the same duly stamped will be returned, while the other will be retained as far as possible in this office for record and will be kept confidential. It would also be open to the applicant to send only extracts from the unpublished work instead of the whole manuscript and ask for the return of the extracts after being stamped with the seal of the Copyright Office.

5. When a work has been registered as Unpublished and subsequently is it published, the applicant may apply for changes in particulars entered in the Register of Copyright in Form V as prescribed in the first schedule to the Copyright Rules, 1958, along with the prescribed fee and in accordance with Rule 16 of the Copyright Rules, 1958.

6. To facilitate reference, relevant extracts from the Copyright Act, 1957 and the Copyright Rules, 1958 as amended, along with a specimen copy of the Form IV are sent herewith. Applications may be made on plain paper in accordance with Form IV, as this office does not supply blank application forms. A copy of the instructions for filling up the forms is also enclosed.

Yours faithfully,

Dy. Registrar of Copyrights

Encls: As above.

**EXTRACT FROM THE COPYRIGHT RULES, 1958, AS AMENDED
(See Rule 16)**

Form IV – Application for Registration of Copyright

To

The Registrar of Copyrights
Copyright Office
New Delhi : 110001.

Sir,

In accordance with Section 45 of the Copyright Act, 1957 (14 of 1957), I hereby apply for registration of Copyright and request you that entries may be made in the Register of Copyrights in the enclosed Statement of Particulars sent herewith in triplicate.

I also send herewith duly completed Statement of further Particulars relating to the work.
(for Literary, Dramatic, Musical and Artistic works only)

2. In accordance with Rule 16 of the Copyright Rules, 1958, I have sent by prepaid registration post copies of this letter and of the enclosed Statement(s) to the other parties concerned, as shown below:

Name and address of the parties (1)	Date of dispatch (2)
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[See columns 7, 11,12 and 13 of the Statement of Particulars and the party referred in Col.2(e) of the Statement of Further Particulars.]

3. The prescribed fee has been paid, as per details below:

4. Communications on this subject may be addressed to:

5. I hereby declare that to the best of my knowledge and belief, no person, other than to whom a notice has been sent to as per paragraph 2 above any claim or interest or dispute to my copyright of this work or to its use by me.

6. I hereby verify that the particulars given in this Form and in the Statement of Particulars and Statement of Further Particulars are true to the best of my knowledge, belief and information and nothing has been concealed therefrom.

Yours faithfully,

Signature of the applicant

List of enclosures:

Place:

Date:

Statement of Particulars

(to be send in triplicate)

1. Registration No. (to be filled in by the Copyright Office)
2. Name, address & nationality of the Applicant:
3. Nature of the Applicant's interest in the Copyright of the work:
4. Class and description of the work:
5. Title of the work:
6. Language of the work:
7. Name, address & Nationality of the Author and if the author is deceased, the date of decease:
8. Whether the work is published or unpublished:
9. Year and Country of first publication
Name, address and nationality of the publisher:
10. Years and countries of subsequent publications if any and names, addresses and nationalities of the publishers:
11. Names, addresses and nationalities of the owners of various rights comprising the copyright in the work and the extent of rights held by each, together with the particulars of assignments and licence, if any:
12. Names, addresses and nationalities of other persons, if any authorized to assign or licence the rights comprising the copyrights:
13. If the work is 'Artistic' the location of the original work including name and address and nationality of the person in possession of the work, (in case of an architectural work, the year of completion of the work should also be shown).
- 13A If the work is an Artistic work which is used or is capable of being used in relation to any goods, the application should be include a certification from the Registrar of Trade Marks in terms of the proviso to Sub-Section (i) of Section 45 of the Copyright Act, 1957.
14. Remarks, if any.

Signature of the Applicant

Place:

Date:

Statement of Further Particulars

(to be sent in triplicate)

(For Literary, Dramatic, Musical and Artistic works only)

1. Is the work to be registered
 - (a) an original work?
 - (b) a translation of a work in the public domain?
 - (c) a translation of a work in which Copyright subsists?
 - (d) an adaptation of a work in the public domain?
 - (e) an adaptation of a work in which Copyright subsists?

2. If the work is a translation or adaptation of a work in which Copyright subsists:
 - (a) Title of the original work
 - (b) Language of the original work
 - (c) Name, address and nationality of the author of the original work and if the author is deceased, the date of decease:
 - (d) Name, address and nationality of the publisher, if any or the original work
 - (e) Particulars of the authorization for a translation or adaptation including the name, address and nationality of the party authorizing:

3. Remarks, if any.

Place:
Date:

Signature

**Instructions for filling up the Statement of Particulars
annexed to Form IV for the Registration of Copyrights**

- Col.3:- State whether the applicant is the author or publisher of the work or whether he/she is the owner assignee or licence of any rights comprising the copyright in the work or whether he has any other interest in the work.
- Col.4:- State whether the work is 'Literary work' or 'Dramatic Work' or 'Musical Work' or 'Computer Software Work' or 'Artistic Work' or 'Cinematograph Film' or 'Sound Recording' [see sub-section (i) of Section 13]
Describe in brief the nature of the work (i.e., Drama, Novel, Biography, Poems, Lectures, Opera, Painting, Engraving, Photograph, Disco taps, etc.)
- Col.5:- In regard to a work, a title must be given.
- Col.6:- If the work is in more than one language, all the languages should be shown.
- Col.7:- For the definition of Author see clause 'd' of Section 2. Moreover irrespective of the person who gave the ideas or suggestions, the author is the person who has actually drawn or executed the work in question.
- Col.8:- For definition of the Publication, see Section 3 of the Act, and if the work is posthumous work, see sub-section (2) of Section 24.
- Col.9:- If a work is published simultaneously in more than one country, state particulars of countries in which it is published and the exact date of publication (and not merely the year of publication in each country. For meaning of simultaneous publication see Section 5).
- Col.10:- In case of subsequent publication, state briefly the changes, if any, made in the first publication.
- Col.11:- For the rights comprising the Copyright, see Section 14, if the rights are owned separately by different persons the rights of each person should be stated separately, including the extent of rights held by each person. In the case of a 'Cinematograph Film' or 'Sound Recording' also state full particulars (viz. full names, addresses and nationalities) of the owners of Copyright of the work recorded in the Sound Recording like the composers, lyricists, story writers, etc.)
- Col.12:- State the Particulars of the persons other than those mentioned in Col.11, authorized to assign or licence the rights comprising the copyrights, if any.
- Col.13:- State where and with whom the original work is located. This information is required to be supplied in case of artistic work as defined in Section 2(c).
- Col.13A: In case an artistic work is used or capable of being used in relation to any goods, a Search Certificate from the Trade Marks Registry u/s 45(1) of the Copyright Act, 1957 as amended from time to time, has to be procured, and enclosed with the application for registration of copyright.
- NOTE: (i) BEFORE SUBMITTING APPLICATION, PLEASE ENSURE THAT ALL COLUMNS OF THE APPLICATION HAVE BEEN DULY FILLED.
- (ii) THE APPLICANTS/THEIR LEGAL REPRESENTATIVES MAY VISIT COPYRIGHT OFFICE BETWEEN 2.30 PM TO 4.00 PM ON EACH WORKING DAY.

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COPYRIGHT OFFICE

Second schedule to the Copyright Rules, 1958 (as amended from time to time) enlisting various fees payable under the Copyright Act, 1957 has been revised w.e.f. 10th May, 1995.

You are requested to pay fee (as applicable) as per the revised schedule given below:

SECOND SCHEDULE

- | | | |
|-----|---|--------------------|
| 1. | For a licence to republish a Literacy, Dramatic Musical or Artistic work (Section 31, 31-A and 32-A) | Rs.400/- per work |
| 2. | For licence to republish a Cinematograph Film (Section 31) | Rs.600/- per work |
| 3. | For a licence to republish a sound recording (Section 31) | Rs.400/- per work. |
| 4. | For a licence to perform an Indian work in public or to communicate the work to the public by Broadcast (Section 31) | Rs.200/- per work |
| 5. | For an application for a licence to produce and publish a translation of a Literary or Dramatic work in any Language (Section 32 and 32-A) | Rs.200/- per work |
| 6. | For an application for registration of copyright in a | |
| | (a) Literacy, Dramatic, Musical or Artistic Work | Rs.50/- per work |
| | (b) Provided that in respect of a Literary or Artistic work which is used or is capable or being used in relation to any goods (Section 45) | Rs.400/- per work |
| 7. | For an application for change in particular of copyright entered in the Register of Copyrights in respect of a: | |
| | (a) Literacy, Dramatic, Musical or Artistic Work | Rs.50/- per work |
| | (b) Provided that in respect of a Literary or Artistic work which is used or is capable or being used in relation to any goods (Section 45) | Rs.200/- per work |
| 8. | For an application for registration of Copyright in a Cinematograph Film (Section 45) | Rs.600/- per work. |
| 9. | For an application for registration of change in particulars of copyright entered in the Register of Copyrights in respect of Cinematograph Film Section (45) | Rs.400/- per work |
| 10. | For an application for registration of copyright in a Sound Recording (Section 45) | Rs.400/- per work. |

11.	For an application for registration of changes in particulars of copyright entered in the Register of Copyrights in respect of Sound Recording (Section 45)	Rs.200/- per work.
12.	For taking extracts from the Indexes (Section 47)	Rs.20/- per work.
13.	For taking extracts from the Register of Copyrights (Section 47)	Rs.20/- per work.
14.	For a certified copy of an extract from the Register of Copyrights of the Indexes (Section 47)	Rs.20/- per work
15.	For a certified copy of any other public document in the custody of the Registrar of Copyrights or the Copyright Board.	Rs.20/- per work.
16.	For an application for prevention of importation of infringing copies (Section 53)	Rs.400/- per work per place of entry

It may be noted that members of public may visit Copyright Office on each working day between 2:30 p.m. to 4:00 p.m.