

CIRCULAR NO. 23/10

Sub:- Provisions of Copyright Act 1957 – instructions issued – Reg.

Police Officers should pay proper attention to take proper action against the infringement of intellectual property rights covered under the provisions of Copyright Act, 1957.

The following instructions are issued for strict guidance and implementation by all officers:-

- i) Whenever there is a complaint with adequate grounds, about infringement of the Copyright Act a case should promptly be registered.
- ii) While conducting searches, it is advisable to photograph or videograph the entire procedure.
- iii) During sale/purchase of pirated articles, the premises should be thoroughly searched and a proper mahazar prepared. All the pirated items should be seized.
- iv) Inquiries should be made about the source of the pirated materials and appropriate follow up action taken.
- v) Provisions of other Acts such as IPC, IT Act or Trade Mark Act wherever applicable should be invoked. Sec.292 IPC should be added compulsorily along with Sec.65 of Copyright Act in cases where obscene/pornographic materials are seized.
- vi) Investigating Officers should produce before the Court evidence regarding titles/licence/assignment deeds to prove ownership in Copyright cases.
- vii) At the Police Stations, a list of addresses and telephone numbers of all major video/music companies should be maintained, so that they could be summoned as expert witnesses during suo-moto raids.
- viii) Investigation of cases under the Copyright Act shall be finalized, preferably within 3 months.

DIRECTOR GENERAL OF POLICE