

**WIPO QUESTIONNAIRE ON COPYRIGHT REGISTRATION AND DOCUMENTATION SYSTEM**  
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**PARTICIPANT OF WIPO ASIA-PACIFIC REGIONAL WORKSHOP ON COPYRIGHT DOCUMENTATION**  
**SYSTEM APRIL 26 AND 27, 2010 MANILA, PHILIPPINES**

**A. COPYRIGHT REGISTRATION AND RECORDATION**

1. What is the name and legal status of the copyright registering/recording body in your country?

**Ans: - Copyright office, IPO-Pakistan, one of the offices under Intellectual Property Organisation of Pakistan**

2 Please provide full contact details of the copyright registering/recording body, including location of its offices, with indication of the hours they open to public.

**Ans:- Copyright Office, IPO-Pakistan , Ground Floor, Lique Memorial Library Building, Adjacent T.V. Station, National Stadium Road, Karachi – Pakistan Ph./Fax No. 021-99230140–41**

3. Does the copyright registering/recording body have a webpage and e-mail address? If so, please list them.

Webpage [www.ipo.gov.pk](http://www.ipo.gov.pk) and email is [copyright@ipo.gov.pk](mailto:copyright@ipo.gov.pk)

4. Is the copyright registry interconnected to any other copyright data system?

**Ans: - NO, but all the three office in Pakistan (Karachi, Lahore and Islamabad) are interconnected with each other through VPN System**

5. Please list relevant national legislation, including regulations, regarding copyright recordation/registration.

**Ans: - Copyright Ordinance 1962 as amended in 2000 and Copyright Rules 1967 as amended in 2002, The International Copyright Order, 1968 and The Copyright Board (Procedure) Regulations 1981**

6. What kind of copyright works can be registered/recorded? Is the registration/recordation process different for each type of copyrighted work? Please describe the differences, if any.

**Ans: - 1. Literary works 2. Artistic works 3. Cinematographic works 4. Records Works, and No different recordation process**

7. Can the subject matter of related rights (e.g., performances, broadcasts, sound recordings) also be registered/recorded? If yes, is there a different registration/recordation process than for works protected by copyright?

**Ans: - Yes, but no different process**

8. Is there a possibility to record the transfer or licensing of copyright/related rights?

**Ans: - Yes**

9 Is there a possibility to record a security interest in the copyright or related right? If so, what are the legal requirements and effects of such recordation?

**Ans: - NO**

10. What is the legal effect of registration?

**Ans: - Provide prima-facie evidence to prove the ownership of copyright before the court of law or enforcement agencies**

11. Is copyright registration/recordation mandatory or voluntary in the following circumstances?

(a) Recognition of creation? **(Voluntary)**

(b) Transfer of rights? **(Voluntary)**

(c) Initiation of judicial proceedings? **No**

(d) Other changes in title/ownership (such as leasing)? **(Voluntary)**

If your country has a mandatory registration/recordation system, please describe any legal consequences for non-compliance. **N/A**

12. Do courts in your country recognize copyright registrations affected by public authorities in other countries? If yes, is recognition automatic or is a local procedure required to validate or otherwise give effect to the foreign registration?

**Ans: - local procedure required**

13. What are the requirements for registration?

(a) What are the mandatory elements of the request for registration/recordation?

**Ans: - Through Application**

(b) Does the request need to be submitted in a specific form? Can the request be submitted by the post? Can the request be submitted electronically?

**Ans: - Yes the request needs to be submitted in specific Form and request can also be submitted by post but the request cannot be submitted electronically/e-filing**

(c) Is there a deposit requirement, that is, must a copy of the work is submitted with the registration request? If so, can it be submitted in digital form?

**Ans: - Yes, but Not in digital form**

(d) Is there a registration/recordation fee? If so, how much is the registration/recordation fee?

**Ans: - Yes Pak Rupee five hundred only**

(e) What is the average time taken to complete the registration/recordation process?

**Ans: - 1-2 years**

14 Are foreigners allowed to register/record their creations? Are people without legal residence in your country allowed to register/record their creations? Is there a different registration/recordation process for domestic as opposed to foreign works or objects of related rights?

**Ans: - Yes, but no different procedure for foreign work**

15. Are the files stored in digital form?

**Ans: - NO, the files are not stored in digital format but the data is stored in digital format in data base and by using CAS- Copyright Administration system (Software Application)**

16 What criteria are followed for classification of the registrations/recordation's (including chronology/name of right owner/name of work or related right/type of work or subject matter of related rights, etc)? Is it possible to correct or update relevant information?

**Ans: - yes**

17. Does the system have a search facility?

**Ans: - yes**

18. Is it accessible by the public? Is the search facility available online?

**Ans: - Yes, but not online facility**

19. Is access granted to the work registered or its copies?

**Ans: - yes**

20. Does the general public have access to other documents submitted or to any information regarding the work registered/recorded?

**Ans: - yes**

21 Does your country have legislation dealing specifically with "orphan works", i.e. works in respect of which the right owner can not be identified and/or located (e.g., a compulsory license or a limitation on liability)? Please briefly describe the main elements of that legislation.

**Ans: - No**

22 Independently of whether your country has legislation on the subject, are there industry "practices in your country aimed at identifying and/or locating the copyright owner of "orphan works"?

**Ans: - No**

23. Does the registering/recording body play a relevant role in the legislation or practice dealing with "orphan works"?

**Ans: - No**

24 Is there a system to identify and list recorded/registered works or objects of related rights in the public domain? Is that system automated? Is that information made available to the public?

**Ans: - No**

25. If your country has a public registration/recording system, do private institutions or initiatives exist that provide additional mechanisms to access registered/recorded information from the public system?

**Ans: - No**

26. Please provide statistics on following registrations/recording:

(a) Number per statistical period (last five years)

**Ans: - Number of Registrations during last five years = 6357**

(b) Number per nationality (last five years)

**Ans: - Foreign Registration =32**

**National Registration =6325**

(c) Number of inquiries/requests for information filed per statistical period (last five years).

**Ans: - None**

(d) Number of recording/registrations whose subject matter has entered the public domain. Global figure/Figure per statistical period (last five years)

**Ans: - No statistics available**

## **B. LEGAL DEPOSIT.**

27. Does your country have a legal deposit system/s in place?

**Ans: - yes**

28. Please list relevant national legislation regulating the legal deposit.

**Ans: - Section 47 to 52 of the Copyright Ordinance, 1962**

**Delivery of books to public libraries, -- (1) Subject to any rules that may be made under this Ordinance, but without prejudice to the provisions contained in section 40 of the Press and Publications Ordinance, 1960, the publisher of every book published in Pakistan after the commencement of this Ordinance shall, notwithstanding any agreement to the contrary, deliver at his own expense, one copy of the book to each of the "public libraries within thirty days from the date of its publication, and shall also furnish to it such particulars relating thereto as may be prescribed"**

(2) The copy delivered to the National Library of Pakistan, Islamabad shall be a copy of the whole book with all maps and illustrations belonging thereto finished and coloured in the same manner as the best copies of the same, and shall be bound, sewed or stitched together and on the best paper on which any copy of the book is printed.

(3) The copy delivered to any other public library shall be on the paper on which the largest number of copies of the book is printed for sale, and shall be in the like condition as the books prepared for sale.

(4) Nothing contained in sub-section (1), shall apply to any second or subsequent edition of a book in which edition no additions or alterations either in the letter press or in the maps, book prints or other engravings belonging to the book have been delivered under this section.

**Delivery of periodicals and newspapers to public libraries, --** Subject to any rules that may be made under this Ordinance, but without prejudice to the provisions contained in section 36 of the Registration of Printing Press and Publication Ordinance, 1989 (VII of 1989), the publisher of every periodical or newspaper published in Pakistan shall deliver, at his own expense, one copy of each issue or such periodical or newspaper as soon as it is published to each of the public libraries, and shall also furnish to it such particulars relating thereto as may be prescribed.

**Receipt for books, periodicals and newspapers delivered, --** The person in-charge of a public library (whether called a librarian or by any other name) or any other person authorized by him in this behalf to whom a copy of a book, periodical or a newspaper is delivered under section 47 or Section 48, shall give to the publisher a receipt in writing thereto,

**Penalty, --** Any publisher who contravenes any provision of this Chapter or any rule made there under shall be punishable with fine which may extend to five hundred rupees and if the contravention is in respect of a book or a periodical shall also be punishable with fine which shall be equivalent to the value of the value of the book, or periodical and the Court trying the offense may direct that whole or any part of the fine realized from him shall be paid, by way of compensation, to the public library to which the book, periodical or newspaper, as the case may be, ought to have been delivered.

**Cognizance of offense under this Chapter, -- (1)** No Court shall take cognizance of any offense punishable under this Chapter save no complaint made by an officer empowered in this behalf by the Central Government by a general or special order.

(2) No Court inferior to that of a Magistrate of the first class shall try any offense punishable under this Chapter.

**Application of this Chapter to books, periodicals and newspapers published by Government, --** This Chapter shall also apply to books, periodicals and newspapers published by or under the authority of the Government, but shall not apply to books or periodicals meant for official use only.

29. Is the legal deposit mandatory or voluntary in your Country? If mandatory, what are the legal consequences in case of non compliance?

**Ans: - Yes, mandatory and if non-compliance then there is fine up to pak rupee five hundred**

30. What are the functions performed by your National legal deposit system (e.g. preservation of cultural heritage; collection of statistical information, etc)?

**Ans: Functions of the legal deposit system are: preservation, maintenance of statistics, bibliographic control and access to library users.**

31. Is there any connection or interaction among legal deposit and copyright protection?

**Ans: Legal deposit is a part of copyright legislation.**

32. Does your national legislation have any provision in regard to making copies or adapting formats of deposited works for preservation purposes? If so, please clarify under which terms and conditions.

**Ans: No legislation is silent about adopting formats for preservation.**

33. What is the object of legal deposit? Please list all types or categories of material subject to legal deposit (e.g. Print Material, such as books, serials, government publication; Non-Print Material, such as music and audiovisual works, broadcast material).

**Ans: Preservation and bibliographic control is the objectives of legal deposit.**

34. Does legal deposit apply upon production/printing of content or after its distribution? Does legal deposit apply to material printed in your country but distributed abroad?

**Ans: All the published literary works are to be deposited within 30 days of their publication.**

35. Is there any type or category of material exempted from legal deposit for policy reasons?

**Ans: No, there isn't any type of category of material exempted from legal deposit for policy reasons.**

36. Is there any specific regulation in regard to material published in electronic format? If so, does the regulation distinguish between on-line and off-line material? Please clarify relevant differences.

**Ans: No still there is no regulation about electronic format.**

37. How many copies does the depositor have to deposit? Are there special conditions for limited or de luxe editions?

**Ans: The legislation states as follows, " Delivery of books to public libraries, -- (1) Subject to any rules that may be made under this ordinance, but without prejudice to the provisions contained in section 40 of the Press and Publications Ordinance, 1960, the publisher of every book published in Pakistan after the commencement of this Ordinance shall, notwithstanding any agreement to the country, deliver at his own expense, on copy of the book to each of the "public libraries within thirty days from the date of its publication, and shall also furnish to it such particulars relating thereto as may be prescribed".**

**(2) The copy delivered to the National Library of Pakistan, Islamabad shall be a copy of the whole book with all maps and illustrations belonging thereto finished and coloured in the same manner as the best copies of the same, and shall be bound, sewed or stitched together and on the best paper on which any copy of the book is printed.**

**(3) The copy delivered to any other public library shall be on the paper on which the largest number of copies of the book is printed for sale, and shall be in the like condition as the books prepared for sale.**

**(4) Nothing contained in sub-section (1), shall apply to any second or subsequent edition of a book in which edition no additions or alternations either in the letter press or in the maps, book prints or other engravings belonging to the book have been delivered under this section”.**

38. Who is/are the subject/subjects responsible for delivering the legal deposit?

**Ans: - Publishers of Books, periodicals and Newspapers**

39. What are the time requirements for legal deposit?

**Ans: - Within 30 days of publication**

40. Is there a payment or compensation involved in legal deposit? If so, Please indicate its amount.

**Ans: No payment or compensation involved in legal deposit system.**

41. What is/are the entity/entities responsible for acting as legal depository?

**Ans: National Library of Pakistan and public libraries designated for the purpose are legal depositories.**

42. Does the general public have access to legally deposited materials? If so, please explain under which terms and conditions.

**Ans: Yes general public has access to legal depositories for research, education and reference purpose. Fair use of copyrighted material is allowed and the users of the libraries cannot exploit such material for commercial purposes.**

43. Do/does the depository/depositories provide publicly available search facilities? If so, are they accessible on-line?

**Ans: No, publicly on-line searching facility is not extended.**

44. Is legal deposit linked to any number or code? Is there any relation with the International Standard Books Number (ISBN) with the International Standard Serial Number (ISSN) and other such codes?

**Ans: No, yet National Library of Pakistan assigns ISBN.**

45 Please provide statistics on the number of deposits per year for the following items (last five years);  
a) print material; b) musical works; (c) audiovisual works.

**Ans: At present, National Library of Pakistan is only legal depository. Mainly published material is being received. About 10,000 books have been received during the period in question.**

**For further detail visit National Library of Pakistan Website: [www.nlp.gov.pk](http://www.nlp.gov.pk)**