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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 11127/2017 & CM No. 45536/2017

SARINE TECHNOLOGIES LTD.

..... Petitioner

Through: Mr Sandeep Grover, Mr Ishwar
Upneja and Ms Ragima R.,
Advocates.

versus

REGISTRAR OF COPYRIGHTS

..... Respondent

Through: Mr Avijit Mukul Sharma, Advocate
for R-2.
Mr Sandeep Mahapatra, Advocate for
respondent.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **16.02.2018**

1. The petitioner has filed the present petition, *inter alia*, seeking an order restraining respondent no.1 (Registrar of Copyrights) from proceeding to register the copyright in the software captioned "Mandakini, Work Manager" in favour of respondent no.2, pursuant its application bearing no.12975/2017-CO/SW, without providing an opportunity of personal hearing to the petitioner.
2. Mr Sandeep Mahapatra, the learned counsel for respondent no.1 states that respondent no.2 had filed the aforementioned application on 05.09.2017 by electronic means. However, the necessary documents for processing the said application, which were to be provided in hard copies, were not furnished within the specified time. Therefore, currently, there is no

application for registration of copyright that is being considered by respondent no.1.

3. In view of the above, the relief as sought for by the petitioner does not survive. However, it would be apposite to direct that in the event respondent no.2 files a fresh application for registration of the computer software captioned as 'Mandakini, Work Manager', respondent no.2 would give a notice of the same to the petitioner in terms of Rule 70(9) of the Copyright Rules, 2013. In the event, the petitioner files any objection to such application, the same would be considered in accordance with the said Rules.

4. The petition and the pending application are disposed of with the aforesaid observations.

VIBHU BAKHRU, J

FEBRUARY 16, 2018
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