

Consultation on Copyright Tribunal Rules

The Government today (August 31) launched a public consultation on the drafting approach and direction for the new Copyright Tribunal Rules to be made pursuant to section 174(1) of the Copyright Ordinance (Cap 528).

The Copyright Tribunal is an independent, quasi-judicial body established under the Copyright Ordinance to hear and resolve certain types of disputes relating to use/licensing of copyright works.

A spokesman for the Intellectual Property Department said, “The Government has committed to providing a new set of concise and user-friendly rules to modernize the practice and procedure of the Tribunal with a view to not only maintaining the fairness of the proceedings but also making the proceedings as flexible, convenient and cost-effective as possible in accordance with contemporary dispute resolution practice.”

The Government’s proposals on the drafting approach and direction are contained in its Consultation Paper available at the respective websites of Intellectual Property Department (<http://www.ipd.gov.hk/>) and the Copyright Tribunal (<http://www.ct.gov.hk/>). The key proposals are -

1. Applying the relevant principles of the Civil Justice Reform as the fundamental value of dispute resolution before the Tribunal
2. Prescribing one standard procedure and application form for all types of applications/references before the Tribunal
3. Empowering the Tribunal to exercise active case management
4. Promoting Alternative Dispute Resolution
5. Empowering a single member of the Tribunal to exercise certain adjudication powers
6. Using Practice Directions to regulate proceedings before the Tribunal, if appropriate
7. Prescribing a set of self-contained rules

The spokesman added, “The consultation will close on 30 September 2009. The Government welcomes views from the community, in particular the professional bodies and copyright licensing bodies, about the proposals. We will take full

account of your views when deciding the way forward for the new Copyright Tribunal Rules.”

Members of the public are welcome to submit their views and comments **on or before 30 September 2009** to the Director of Intellectual Property of the Intellectual Property Department by e-mail, fax or post at the following addresses and no: -

E-mail: co_ctr@ipd.gov.hk

Fax: 2574 9102

Address: 25/F, Wu Chung House, 213 Queen's Road East, Wanchai, Hong Kong

Ends/Monday, August 31, 2009

Intellectual Property Department