Books in Dispute Distributed to The Needy

News & Updates • December 13, 2019

BIRLA PUBLICATIONS PVT LTD vs. R.K. RAJPUT & ANR CS (COMM) 623/2018 The case of the Plaintiff was that the Defendant No.1 had authored a book titled "An Integrated Course in Mechanical Engineering for UPSC (IES, IAS), GATE, AMIE, ECET (FDH), B. TECH. (CCC) and other Competition Examinations, Objective Tests of various Public Sector Industries and Interviews", comprising of questions and model answers and assigned copyright therein in favour of the Plaintiff; (ii) the Plaintiff has been publishing the said book and paying the Royalties to the Defendant No.1 regularly without any dispute; (iii) however, the Defendant No.1 entered into an agreement with the erstwhile Defendant No. 2 for publishing the same book in which copyright had been assigned in favour of the Plaintiff and hence this suit was brought; (iv) a perusal of the "Memorandum of Agreement (Copyright Agreement)" dated 31st October, 2012 entered into by the Defendant No.1 with the erstwhile Defendant No. 2 was also submitted before the Court. The present suit was filed for permanent injunction restraining infringement of copyright of the following three books:-

- INTEGRATED COURSE IN ELECTRICAL ENGINEERING (Objective type),
- INTEGRATED COURSE IN ELECTRONICS AND COMMUNICATION ENGG (Objective type), and
- INTEGRATED COURSE IN MECHANICAL ENGG (Objective type).

On 21 August 2019 the suit was disposed by: (a) passing a decree in favour of the Plaintiff and against the Defendants; (b) by directing Defendant No.2 to hand over the existing stocks of the infringing 8,455 books to Mr. Ashok Agarwal; (c) directing Mr. Ashok Agarwal, Advocate to after so taking over the books, put the stickers of the Plaintiff on the books where the name of the Defendant No.2 is printed and thereafter, distribute the same under Plaintiff's name, free of charge, to deserving and needy students; and, (d) leaving the parties to bear their own costs. Team Anand and Anand: N.K. Anand, Pravin Anand, Manish Biala, Devesh Ratan and Ashutosh Upadhyaya. [gallery type="slideshow" size="medium" ids="5228,5227,5226,5225,5224,5223"]

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