

No. 3277

**UNITED STATES OF AMERICA
and
INDIA**

**Exchange of notes constituting an agreement relating to
copyright relations. Washington, 21 October 1954**

Official text: English.

Registered by the United States of America on 17 April 1956.

**ÉTATS-UNIS D'AMÉRIQUE
et
INDE**

**Échange de notes constituant un accord relatif à leurs
relations en matière de propriété littéraire et artistique.
Washington, 21 octobre 1954**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 17 avril 1956.

No. 3277. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND INDIA RELATING TO COPYRIGHT RELATIONS. WASHINGTON, 21 OCTOBER 1954

I

The Indian Ambassador to the Secretary of State

EMBASSY OF INDIA
WASHINGTON, D. C.

F. 35/54

October 21st, 1954

Excellency,

In accordance with instructions from my Government, I have the honor to refer to the recent conversations held in New Delhi between representatives of our two Governments with respect to the copyright relations between India and the United States after August 15, 1947, the date of the transfer of power pursuant to the Indian Independence Act, 1947. It is my understanding, that, upon receipt of affirmative assurances that after August 15, 1947, as before that date, Indian Law has granted to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, your Government is prepared to have issued a Presidential Proclamation under Section 9 (b) of Title 17, United States Code, being the Copyright Law, to continue to grant the protection of that law to citizens of India after August 15, 1947, thereby providing for and affirming the continued existence of copyright relations between our two countries as established prior to the change in the legal status of India.

The legal obligation of India to extend the protection of its Copyright Law to citizens of the United States was not altered by the transfer of power on August 15, 1947. Section 18(3) of the Indian Independence Act, 1947, provided for the continuation, except as otherwise expressly provided, of all laws which existed immediately before the transfer of power. Similarly, the legal obligations of India with respect to copyright were not altered by the creation of the Republic of India on January 26, 1950. Article 372(1) of the Constitution of India

¹ Came into force on 21 October 1954 by the exchange of the said notes.

provided for continuation of all laws in force immediately before India became a Republic. In view of this, my Government has instructed me to state its assurances that after August 15, 1947, as before that date, citizens of the United States have been and continue to be entitled to the benefits of copyright in India on substantially the same basis as citizens of India, including rights similar to those provided by section 1 (e) of the aforesaid Title 17.

Accept, Excellency, the renewed assurances of my highest consideration.

G. L. MEHTA
Ambassador of India

The Honourable the Secretary of State
Department of State
Washington, D. C.

II

The Acting Secretary of State to the Indian Ambassador

DEPARTMENT OF STATE
WASHINGTON

Oct. 21, 1954

Excellency :

I have the honor to acknowledge the receipt of your note of today's date, in which you refer to the recent conversations held in New Delhi between representatives of our two Governments with respect to the copyright relations between India and the United States after August 15, 1947.

You state in your note that the legal obligation of India to extend the protection of its Copyright Law to citizens of the United States was not altered by the transfer of power on August 15, 1947, since Section 18(3) of the Indian Independence Act, 1947, provided for the continuation, except as otherwise expressly provided, of all laws which existed immediately before the transfer of power. You state that similarly the legal obligations of India with respect to copyright were not altered by the creation of the Republic of India on January 26, 1950, since Article 372(1) of the Constitution of India provided for continuation of all laws in force immediately before India became a Republic. You state that in view of this, your Government has instructed you to state its assurances that after August 15, 1947, as before that date, citizens of the United States have been and continue to be entitled to the benefits of copyright in India on substantially the same basis