

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the Tamil Nadu on 10th December, 2024 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 50 of 2024

A Bill further to amend the Tamil Nadu Court-fees and Suits Valuation Act, 1955.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-fifth Year of the Republic of India as follows:—

1.(1) This Act may be called the Tamil Nadu Court-fees and Suits **Short title and commencement.**

(2) It shall be deemed to have come into force on the 5th April 2023.

Tamil Nadu Act XIV of 1955. 2. In Schedule-II to the Tamil Nadu Court-fees and Suits **Amendment of Valuation Act, 1955,— Schedule – II.**

(1) in Article 3, for item (ii), the following items shall be substituted, namely:—

"(ii)(A) to the High Court except One thousand five Intellectual Property Division. hundred rupees.

(B) to the Intellectual Property Division of the High Court,—

(a) appeal against the order of the Registrar of Trade Marks under section 91 of the Trade Marks Act, 1999 (Central Act 47 of 1999). Ten thousand rupees.

(b) appeal against the order of Registrar of Copyrights under section 72 of the Copyright Act, 1957 (Central Act 14 of 1957). Five thousand rupees.

(c) appeal against the order of the Controller or Central Government under section 117-A of the Patents Act, 1970 (Central Act 39 of 1970). Ten thousand rupees.

(d) appeal against the order of the Registrar under section 31 of the Geographical Indications of Goods (Registration and Protection) Act, 1999 (Central Act 48 of 1999). Five thousand rupees.

(e) appeal against the order or decision of the Authority or the Registrar under section 56 of the Protection of Plant Varieties and Farmers' Rights Act, 2001 (Central Act 53 of 2001). Five thousand rupees.

(f) appeal against the order of a Commercial Court under section 13 (1-A) of the Commercial Courts Act, 2015 (Central Act 4 of 2016). Two thousand rupees.

(g) appeal against the order passed in interim application, by the Commercial Division of the High Court constituted under section 4 of the Commercial Courts Act, 2015 (Central Act 4 of 2016). One thousand five hundred rupees.”.

(2) in Article 11, in clause (l), for item (iii), the following items shall be substituted, namely:—

“(iii) (A) the High Court except Intellectual Property Division. Fifty rupees.

(B) to the Intellectual Property Division of the High Court,—

(a) petition or application under sections 47 and 57 of the Trade Marks Act, 1999 (Central Act 47 of 1999). Ten thousand rupees.

(b) petition under section 19A(1) of the Copyright Act, 1957 (Central Act 14 of 1957). Five thousand rupees.

(c) petition or application under sections 19A(2), 23, 31, 31A, 31B, 31C, 31D, 32, 33A and 50 of the Copyright Act, 1957 (Central Act 14 of 1957). Ten thousand rupees.

(d) petition under sections 64 and 71 of the Patents Act, 1970 (Central Act 39 of 1970). Ten thousand rupees.

(e) application under section 27 of the Geographical Indications of Goods (Registration and Protection) Act, 1999 (Central Act 48 of 1999). Five thousand rupees.”.

STATEMENT OF OBJECTS AND REASONS

Consequent on the enactment of the Tribunals Reforms Act, 2021 (Central Act 33 of 2021), the Intellectual Property Appellate Board and certain other Tribunals stood abolished and the proceedings hitherto pending before the said Board and other such Tribunals stood transferred to the High Courts concerned under various provisions of that Act. The High Court of Madras constituted an Intellectual Property Committee to formulate the procedures consequent thereto. Upon the recommendation of the said Committee, the High Court of Madras created an Intellectual Property Division in the High Court to deal with matters relating to Intellectual Property Rights. The High Court have also, in exercise of the powers under section 129 of the Code of Civil Procedure, 1908 (Central Act V of 1908) and clauses 37 and 38 of the Letters Patent, 1865 framed the Madras High Court Intellectual Property Rights Division Rules, 2022. The said Rules govern the practice and procedure with respect to the proceedings before the Intellectual Property Division of the High Court and specifies the court fees payable thereon.

2. Further, the High Court of Madras in its order dated 07.03.2023 in W.P.Nos.4122, 4124 and 4129 of 2023 has directed the Registrar General of the High Court to collect the court fees pending amendment to the Tamil Nadu Court-fees and Suits Valuation Act, 1955 (Tamil Nadu Act XIV of 1955), as per the aforesaid Rules, with effect from the date of inauguration of the Intellectual Property Division of the High Court, that is, the 5th April 2023.

3. The Government have, therefore, decided to amend the Tamil Nadu Court-fees and Suits Valuation Act, 1955 (Tamil Nadu Act XIV of 1955) suitably for the aforesaid purpose.

4. The Bill seeks to give effect to the above decision.

S.REGUPATHY,
Minister for Law.

Secretariat,
Chennai-600 009,
10th December 2024.

K. SRINIVASAN,
Principal Secretary.