

SUBMISSION FROM TELEVISION BROADCASTS LIMITED TO
HONG KONG INTELLECTUAL PROPERTY DEPARTMENT
IN RESPONSE TO THE CONSULTATION PAPER ON
DRAFT COPYRIGHT TRIBUNAL RULES

1. Television Broadcasts Limited (TVB) welcomes the opportunity to provide comments on the Draft Rules issued by the Hong Kong Intellectual Property Department (IPD).
2. TVB agrees with the principles set out in the consultation paper and considers the proposal to adopt the CJR underlying objectives in the new rules to be beneficial.
3. It may be noted, however, that under the Draft Rules, the Tribunal may deliver a decision and the reasons for the decision orally or in writing as the Tribunal thinks fit (Rule 38). The Draft Rules does not provide clarity as to which types of cases the Tribunal may deliver its decisions orally and whether a written request that the decisions be recorded in writing would have cost implications. Given that reasoned decisions in writing can be useful in helping interested parties evaluate their cases and make sound decisions on whether or not to appeal, it is suggested that, in the absence of clarity, all decisions shall be delivered in writing and shall state the reasons on which they are based.
4. We appreciate the opportunity to offer our comments on the Draft Rules. We hope they will be useful.

Television Broadcasts Limited
February 9, 2015