

March 9, 2013

Dear OUP, CUP and Taylor & Francis,

We refer to a law-suit filed by you against Delhi University (DU) and its photocopier, Rameshwari Photocopying alleging copyright infringement in the creation and distribution of “course packs”.

We are forwarding to you a letter signed by 309 academics and authors from around the world, among whom are 33 authors specifically mentioned by you in the said law suit, as being authors of books over which you allegedly own copyright (hereafter referred to “suit” authors).

This letter asks you to withdraw the law suit filed in the Delhi High Court claiming copyright infringement by Rameshwari Photocopy Services and Delhi University and seeking damages and a restraining order

We are of the firm belief that these academic “course packs” which are the subject matter of your law suit fall within the ambit of statutory exceptions to copyright infringement and in particular are covered under Sec. 52 (1) (a) and 52 (1) (n) of the Copyright Act in India.

Since the law suit filed by you claims that you are acting on behalf of authors and representing the interest of authors, we hope you will take seriously this strong statement by authors and academics that you do not speak in their name.

The “suit” authors who have signed the letter include leading academics such as Professors Thomas Blom Hansen, Partha Chatterjee, Ayesha Jalal, Christophe Jaffrelot, Veena Das, Pratap Bhanu Mehta and Marc Galanter.

Among the other eminent academics/authors who have signed this letter are Professors Richard Falk, Arjun Appadurai, Jonathan Parry, Ramachandra Guha, Farid Esack, TN Madan, Ian Copland, Tanika Sarkar and Uma Chakravarty. As you can see, the list of signatories include academics from all over India and from universities in Europe, the USA, UK, South Africa, Singapore, Australia, Argentina and Palestine.

Please find attached the following:

1. Letter to the three of you (OUP, CUP and Taylor & Francis) signed by 309 academics and authors from around the world, the first 33 of whom are “suit” authors.
2. Letter sent separately by Prof Amartya Sen in September to OUP expressing his distress at the law suit.
3. Email sent by Raju Ramachandran, a leading senior counsel and “suit author” who has opined that the creation and distribution of course packs for educational purposes is clearly covered by the copyright fair use and educational exception.
4. Email sent by Kaushik Sundar Rajan, a leading academic and author supporting the photocopying of his books to further the educational cause.
5. A comprehensive list of signatories to a protest petition on [change.org](https://www.change.org). This consists of 1267 names, including academics, authors, students, and members of the general public who are worried about your law suit and its implications for the future of access to education in India. This list of names can also be found at:

<https://www.change.org/en-IN/petitions/academics-appeal-to-publishers-to-withdraw-suit-filed-against-delhi-university>

Signed:

Amita Baviskar, Institute of Economic Growth

Shamnad Basheer, National University of Juridical Sciences

Nivedita Menon, Jawaharlal Nehru University

Nandini Sundar, Delhi University