

In reality, all thanks are due to Allah, the Lord of the Worlds, who out of his infinite love for his unworthy bondsman made it possible to complete this work. Blessings and Salutations on the noble Prophets of Allah and on the last of them Hazrat Muhammad (P.B.U.H.)

As I take up the pen to express my sense of obligation the name of Prof. Mahd. Zakiria Siddiqi, Dean, Faculty of Law. A.M.U., Aligarh strikes my mind instantaneously. not simply because of his being my supervisor and mentor but primarily for the fact that it is he who, being perpetually on the look out for unexplored ground, persuaded, nay literally prevailed upon me to devote my time and energy to studying this burning problem. Thus, Prof. Siddiqi has been the moving spirit behind all my efforts as well as ever vigilant guide in executing the present study. But for his enlightened and idefatigable guidance, I would have hardly come to grips with the alpha and omega of my venture. In spite of his otherwise busy shedule including his daughter's wedding he always found time for going through and scrutinising my work, diligently making corrections and providing guidelines. I do not have adequate words to express my profound gratitude to him.

I would like to express my profound sense of gratitude to Prof. S. Shamimul Hasnat Azmi, Chairman, Department of law for being a constant source of inspiration both material as well as spiritual.

I am deeply under gratitude to Prof. V. S. Rekhi, who always enthused me by making scholarly suggestion in furtherance of my work. I extend my heartfelt thanks to him.

I am deeply indebted to Prof. Qaiser Hayat for his constant inspiration and words of encouragement.

I feelingly recall here my long and loving association with late Mr. M. Shaheeduddin, Reader, Department of Law who was of yeoman service to me in prosecuting this work. I am extremely grateful to him and pray that may Allah rest his soul in peace.

I have no words to express my gratitude to my teacher Mr. M. Moshir Alam for his benedictions and insistence to finish my work as quick as possible. Infact, my thesis has always been uppermost in his mind. I am indeed grateful to him on the completion of this work.

I am beholden to my learned teachers Prof. Saleem Akhtar, Dr. N. H. Khan, Mr. Ishaq Quraishi and other esteemed teachers of the Faculty whose scholarly personalities and encouraging attitude helped me in the pursuit of this study.

I am also indebted to my teacher, Dr. S. M. Ali who not only got my marriage fixed but has also helped me in this work in more than one ways.

I express my deep sense of gratitude to my teacher Prof. Ahmad Siddique, formerly Dean and Chairman, Department of Law, Jamia Millia Islamia, New Delhi,

for his benign and skillful guidance throughout the course of this study.

I am also grateful to Prof. Zafarul Hasan Beg & Prof. Rasheedus Zafar, for their constant encouragement

I shall be lacking in my duty and love if I do not mention my beloved parents who kindled the flames of learning in me and to their encouragement, affection, sacrificial devotion and prayers, I describe all my success.

I am thankful to my elder sister, Mrs. Fazilat Jahan who was responsible for my joining Aligarh Muslim University fourteen years ago. It was she who encouraged and inspired me to undertake higher studies and to devote myself to intellectual pursuit. I owe to her deepest most affectionate gratitude for her contribution in making whatever I am today.

I am grateful to my father-in-law Prof. Syed Khalid Rasheed, Faculty of Law, International Islamic University, Malaysia for his scholarly advice and constant help during the last stages of this work.

I put on record my gratitude to my student, Mr. Nafees Ahmad who has really worked hard in doing the proof reading. I am thankful to Mr. Waseem Ahmad, research scholar, Department of Law for his help in proof reading. Thanks are also due to Mr. Azeem Sherwani and Mr. Saleem for their help.

I record my obligation and thanks to the World Intellectual Property Organisation (WIPO), Geneva

for its help in providing me with the necessary material on the subject.

I also wish to thank here, Indian Federation Against Software Theft, Bangalore; Indian Performers Rights Society, Bombay; Federation of Indian Publishers, New Delhi; Film Federation of India, Bombay; Western India Cinematographers Association, Bombay and Film Writers Association, Bombay; for their help in the completion of this work.

I am thankful to the librarians and staff of the Universities of Cambridge, Oxford, Hull and Harvard Law School. Thanks are also due to the Indian Copyright Board, Indian Law Institute, British Council, American Centre, Maulana Azad library and that of Law library of Aligarh Muslim University.

I am also thankful to my precious friends, Mr. Mohd. Amir, Mr. Asmer Beg, Mr. Asim Siddiqi, Mr. Salim Javaid, Mr. Mamoan Khan, Mr. Aftab Alam & Mr. Waleed Ansari for their co-operation and help. Thanks are also due to Mrs & Mr. Mohd. Tariq for their love, affection and help.

I attribute to Mr. S. Waheed Abbas who typed this work a considerable amount of inspiration and support which has gone a long way in the successful completion of this work and for that I am thankful to him. Thanks in this regard are also due to Mr. Vigar, Mr. Qaiser and Mr. Zakir Husain.

Last, but not the least, thanking would mean a small thing for my wife, Ms. Amnah Khalid Rasheed, whose love, affection and co-operation have been foundation of successful completion of this work. During the days I sweated on this project unmindful of domestic interest, she looked to my convenience and put up gladly with all kinds of hardships in order to keep me in the right frame of mind to pursue my work to the finish. I acknowledge with love the receipt of her help.

The errors and omissions that remain are mine.

ALIGARH

Mustafa
25/6/96
[FAZAN MUSTAFA]