
STATUTORY INSTRUMENTS

1997 No. 3032

The Copyright and Rights in Databases Regulations 1997

PART III

DATABASE RIGHT

Presumptions relevant to database right

22.—(1) The following presumptions apply in proceedings brought by virtue of this Part of these Regulations with respect to a database.

(2) Where a name purporting to be that of the maker appeared on copies of the database as published, or on the database when it was made, the person whose name appeared shall be presumed, until the contrary is proved—

- (a) to be the maker of the database, and
- (b) to have made it in circumstances not falling within Regulation 14(2) to (4).

(3) Where copies of the database as published bear a label or a mark stating—

- (a) that a named person was the maker of the database, or
- (b) that the database was first published in a specified year,

the label or mark shall be admissible as evidence of the facts stated and shall be presumed to be correct until the contrary is proved.

(4) In the case of a database alleged to have been made jointly, paragraphs (2) and (3), so far as is applicable, apply in relation to each person alleged to be one of the makers.