

# Legal Issues

*Copyright Act 1957 of India* ©

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# Questions

- What are legal and ethical issues?
- What are guidelines of fair use?
- What are the rights of a creator?
- Write main clauses of copyright act?

# What is copyright?

- Copyright is a right given by the law to creators of literary, dramatic, musical and artistic works and producers of cinematograph films and sound recordings.

# What is copyright?

- It is a bundle of rights including, rights of :
  - Reproduction,
  - Communication to the public,
  - Adaptation and translation of the work.
- There could be slight variations in the composition of the rights depending on the work.

# Whose rights are protected by copyright?

- Copyright protects the rights of authors, i.e., creators of intellectual property in the form of literary, musical, dramatic and artistic works and cinematograph films and sound recordings.

# What are the rights in the case of a literary work?

- In the case of a literary work (except computer programme), copyright means the exclusive right.
- To reproduce .
- To issue copies to public
- To perform in public

# What are the rights in the case of a literary work?

- To make cinematograph film or sound recording in respect of the work.
- To make any translation.
- To make any adaptation.

- Are computer program protected under Copyright Act?

Yes.

Computer programs are protected under the Copyright Act. They are treated as literary works.



# What is the term of protection of copyright?

- The general rule is that copyright lasts for **60 years**. In the case of original literary, dramatic, musical and artistic works the **60-year period is counted from the year following the death of the author**.
- In the case of cinematograph films, sound recordings, photographs, posthumous publications, anonymous and pseudonymous publications, works of government and works of international organizations, the **60-year period is counted from the date of publication**.

# Which are the common copyright infringements?

- **Copies for sale or hire or selling or letting them for hire;**
- **Permitting any **place** for the performance.**

# Which are the common copyright infringements?

- **Distributing** infringing **copies** for the purpose of trade.
- **Public exhibition** of infringing copies by way of trade.

# Exemptions

- for the purpose of **research** or private study,
- for **learning and teaching** in a classroom.
- for **criticism** or review,
- for **reporting** current events,
- in connection with **judicial** proceeding,

# Exemptions

- Performance by an **amateur** club or society if the performance is given to a **non-paying audience**, and
- The making of sound recordings of literary, dramatic or musical works under certain conditions. (Remix)

# Fair use Guidelines

## ©

# Printed Materials

- Poems less than **250 words**.
- Articles, stories, or essays less than 2500 words.
- One chart, picture, diagram, graph, cartoon, or picture per book or periodical issue.

# Printed Materials (1 copy) For Teacher Use

- **A chapter** from a book.
- **An article** from a periodical.
- **One** chart, picture, diagram, graph, cartoon, or picture per book or periodical issue



# Video (Portions) For Educational Use

- **10% or 3 minutes**, whichever is less.
- Proper acknowledgement and credit must be noted for all copyrighted works.

# Illustrations and Photographs for Educational Use

- Entire single works may be used but no more than **5 images** by an artist.
- From a collection, not more than **15 images** or 10%, whichever is less.

# Music (Portions) for Educational Use

- Up to **10%** of a copyrighted musical composition may be reproduced, performed and displayed as part of a multimedia project for education purposes.
- Sometimes cited as a maximum length of **30 seconds**.

# Internet Text, Images, and Sound for Educational Purposes

- The same restrictions as printed text, recorded sounds, and images as described earlier.

# .....When Fairly used,

- Mention in credits.
- Inform to the owner.
- Explain how you have used the copyrighted material.
- Appreciate owners cooperation.

When in doubt, get permission !  
(...and keep the permission letter)

# Ethical issue

- Don't abuse
- Don't share destructive post.
- Don't forward every post blindly.
- Don't illegal post.
- Don't misuse the information.
- Be conscious about intention of others.
- Prepare your own post.
- Be interactive, but don't overactive.

**Thanks !**

**Improve and Use !**