

## (Unit:-04)

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Copyright:-

It is the right given by the law to the creators of literary, dramatic, musical and artistic work and producers of films and sound recordings.

:- Benefits:-

- a) Creates a public record.
- b) It enables a person to file a law suit and take legal action.
- c) Provides with economic benefit.
- d) Legal evidence of your ownership.

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Copyright Law:-

The Copyright act 1957 governs the law pertaining the copyright in India.

The major goals of this law are two fold:-

- a) Guarantee the authors, musicians, painters, designers and creative individuals, the right to their creative interpretation.
- b) Allowable others to openly develop upon the concept and knowledge made available by a work.

A law called the Indian Copyright act 1957 was passed and came into effect in January 1958.

And have undergone five ~~divisions~~ revisions in 1983, 1984, 1992, 1994, 1999.

The copyright act of 1957 2012 (Amendment) which was passed in 2012 was the most recent amendment.

This law safeguards manifestations of ideas literary works, musical works, theoretical works, creative works, ethical works and sound recording, all have copyright protection under section 13 of the copyright act of 1957.

• Salient features of copyright act 1957.

- a) Provision to assert the ownership.
- b) Civil and criminal remedies (Section 55 of this act addresses civil remedy, these civil remedies include account interpretation, deletion and surrender of copies as well as damages.

Section 63 → specifies criminal penalties for copyright infringement, these criminal penalties can take the form of jail, fine etc)

The maximum sentence for imprisonment <sup>on</sup> is 3 years. but it can not be less than 6 month.

and maximum fine is between 50 thousand - 2 lakhs.

• establishment of copyright boards and offices:-

As per this act establishment of copyright board to assist in resolving copyright related issues and copyright offices, which comes under the jurisdiction of registration under copyright for registration and other works.

The establishment of office is known as copyright office for act purpose, this is provided for under section 9.

The copyright board was established under section 11.

• Important sections of copyright act 1957

(note)



## Documents:-

### ✓ Copyright registration process :-

- a) Application for registration is to be made on as prescribed in the first schedule to the rules.
- b) Separate applications should be made for registrations of each work.
- c) Each application should be accompanied by the required fee and required documents prescribed in the second schedule to the rules.
- d) The application should be signed by the applicant or advocate or power of attorney has been executed.
- e) The power of attorney signed by the party and accepted by the advocate should also be ~~it~~ enclosed.

### ⚡ :- Time for processing application ✓

After filling application and receive a diary number applicant have to wait for a mandatory period of 30 days, so that no objection <sup>is file</sup> in the copyright against the claim

Scope and extent of copyright registration -

Both published and unpublished work can be registered

# Patent Search:-

It fall into 2 categories:-

A) Legal reasons.

B) Informational and Design reasons.

a) for patentability (The goal of patentability is to find all prior information that might be relevant to patentable invention).

b) Freedom to operate:- It helps in determining whether that inventor can produce <sup>an</sup> market, an invention in specific territory without fear of infringement.

# Patent search strategy / patent search process.

a) keywords

Most patent data bases allowed for keyword searching. Applicant need to search the title of patent with the help of related keyword.

b) Invention and designs:-

One productive way to begin a search is to identify ~~the~~ a given researcher with expertise in a type of technology or to identify maker of product that closely resembles what you intend to design - or patent.

c) Forward and Backward citation mining

d) Classification Searching