
UNIT 11 COPYRIGHT AND PLAGIARISM

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11.0 OBJECTIVES

The objective of this unit is to:

- Explain basic principles of copyright
- Trace the history of copyright
- Explain the reasons why it is necessary to have copyright laws
- Define plagiarism
- Suggest ways of avoiding plagiarism

11.1 INTRODUCTION

Why do you think we have laws that prevent us from copying and sharing creative work? What would you consider as a creative work? How do these laws impact our daily life? What are the rules of copyright in the context of the internet which allows us such easy access to knowledge? Before we answer these questions let us give you a brief definition of copyright.

Copyright is a form of intellectual property law which protects original works of creators/authors. These works include literary, musical and other artistic works (painting, drawing and sculptor), advertisements, computer software.“Not all types of work can be copyrighted. A copyright does not protect ideas, discoveries, concepts, or theories. Brand names, logos, slogans, domain names, and titles also cannot be protected under copyright law. For an original work to be copyrighted, it has to be in tangible form. This means that any speech, discoveries, musical scores, or ideas have to be written down in physical form in order to be protected by copyright” (Kenton,2020).

The Copyright law bears into nearly every facet of our lives, and as teachers it is our duty to inform you of these laws so that you are made aware of them

and hence do not unwittingly violate them in your academic life. As students when we do our assignments, term papers or projects, we need to consult books, articles or the internet. Whatever ideas or language you pick up, you must acknowledge these and, in that sense, copyright is a regular feature in our lives.

Why do we need to have copyright laws?

We list two reasons, though you could of course add some more:

Author's rights: Copyright protection serves to recognize and protect the rather intense connection authors have with the original work that they create. This rationale is founded upon ethical principles, which ensure recognition for authors and at the same time respects the integrity of creative works.

Utilitarian: Copyright laws provide some kind of inducement to authors/creators. The aim is to encourage the creation and publication of new works for social benefits. Otherwise, many people may not put out their work in society if they got no acknowledgement for it or accrue no monetary benefit from it.

Interestingly, the Copyright law does not give creators of original material or their estate the exclusive right for eternity. This privilege is given to them for a certain amount of time after which the copyrighted item comes into public domain. Here one may not require permission to use their work, but we do require to acknowledge the authors. For example, when you quote a few lines from Wordsworth or Shakespeare, you need to say that you have done so.

Check your progress 1

- 1) If there were no copyright laws would you like to publish your original ideas. Give a reasoned answer.

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- 2) We have given you two reasons for the necessity of copyright laws? Can you suggest some more?

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11.2 A BRIEF HISTORY OF COPYRIGHT

The history of copyright protection actually emerged with the invention of the printing machine by Johannes Gutenberg in Germany around 1440 which made duplication of literary works possible by a mechanical process,

therefore enabling with ease the copying of others' work. Earlier everything was written by hand, making any kind of duplication a very tedious process. Also, the handwriting would be different so it would be easy to catch the pretender. In 1483, Gutenberg's invention also reached the shores of England, and the then King of England, Richard III, lifted the ban on import of manuscripts and books from other countries. As a result, authors from all over Europe started sending their books to England for printing, which soon became the printing hub of Europe.

However, it was not until the eighteenth century (1710 to be exact) that the world's first copyright law was enacted in England. **The Statute of Anne**, as it was called, was "An act for the encouragement of learning, by vesting the copies of printed books in the authors or purchasers of such copies, during the times therein mentioned." This law gave book publishers fourteen years of legal protection during which time their books could not be copied by others. This act caused a huge shift in the way the copyright was viewed. It acknowledged the rights of authors of published work. This came to be known as the world's first copyright law. The prime objective of this act was:1) to promote learning 2) to give authors protection against piracy of their creation. Since then, the scope of the rights granted under the copyright laws have greatly increased. Today, the copyright law goes much beyond books, to cover nearly any original creative work.

Also, the duration of the exclusive rights has also expanded considerably and the law has been refined to bring more fair play to the creator of the work. Today, in most parts of the world, the minimum term of copyright protection granted to a work is the lifetime of the creator/author plus 50 years after their death, or 50 years after publication, if it's a corporate.

Additionally, since the Statute of Anne, copyright has become a matter of international law. The international community has signed treaties, which nearly all countries have joined. The result is that copyright laws have been the concern globally and these laws have similarities amongst different nations.

11.2.1 The Copyright Act, 1911

Before the Copyright Act of 1911, the books and literary works were protected under the Statute of Anne (1710), while the Engraving Copyright Act 1734 and the Fine Arts Copyright Act 1862 brought later, covered the other arts such as music, painting or sculpture.

The 1911 Act consolidated all the acts into one and also implemented the spirit of the Berne Convention. The Berne Convention, which was first accepted in Berne, Switzerland in 1886 was an international agreement about copyright amongst the nation states, and had far-reaching implications globally. The Copyright Act 1911, also known as the Imperial Copyright Act of 1911, was passed by Parliament in United Kingdom and received Royal Assent on 16 December 1911. This act established copyright law in the UK as well as the countries under the British Empire. The act amended the

existing UK copyright law, and repealed all previous copyright legislation in the UK. In India the act came into force on 30 October 1912 (some modifications in terms of its application to Indian law was enacted in 1914).

The main features of the copyright act are as follows:

- Copyright in the act of creation, an act of publishing.
- The term of Copyright was extended to the life of the author and 50 years beyond that.
- There was no need for prior registry in ‘Register of Stationers’ to receive protection under the act.
- Unpublished work was also covered under this Act.
- There would be swift remedy in case of infringement.
- The act would include all form of arts such as literature, painting, music, photography etc.

Subsequently, there have been several amendments to it, but the ball was set rolling with this Act of 1911. Also, though different countries have their own copyright laws, they all show a great deal of similarities.

<https://certificates.creativecommons.org/cccertedu/chapter/2-1-copyright-basics/>

Check your progress 2

- 1) We have read about the disadvantages of the printing press. What do you think are the advantages?

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- 2) What are the six main features of the Copyright Act, 1911?

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Watch Copy's draw my life, where he sets out his history from birth till the Internet explosion. #Fix Copyright: Copy (aka copyright) Tells the Story of His Life: <https://www.youtube.com/watch?v=0fdUDecJ6jc>

11.3 EVOLUTION OF COPYRIGHT LAW IN INDIA

Pre-Independence Copyright law in India

The Copyright Law of India was enacted by the British and like most of the acts of that time, it was an imitation of the English law. It was done by the British to ease the passage of literature from Britain over the subcontinent.

The first copyright act of India was enacted in 1847, during the regime of East India Company. As per the act, the term of copyright was either, for the lifetime of author plus 7 years or 42 years. The government had the power to grant the publishing license after the death of the author if the owner of the copyright had refused permission. All legal suits and infringement related to copyright came under the jurisdiction of the highest local civil court. This act was replaced by the copyright act of 1914 which is the precursor to the modern copyright law of today.

Post-Independence Copyright Law in India

The Copyright Act of 1957 came into being on the 21st of January, 1958 replacing the 1911 act. The act besides amending the copyright law also introduced important changes to the 1911 law. It had provisions for setting up copyright office under the control of Registrar of copyright for registration of books and other works of art. It also established a copyright board to deal with the disputes relating to copyright. India also became a member of the Berne Convention and Universal Copyright Convention. The Government of India further aligned itself globally by passing the International Copyright Order, 1999. According to this Order, any work first published in any country that is a member of any of the above conventions is granted the same rights as if it were first published in India. The Copyright Act 1957 (the Act), supported by the Copyright Rules 1958 (the Rules) was substantially amended by the Copyright Act of 2012 (Singh, 2020).

The Copyright (Amendment) Act, 2012 (2012 Amendment) came into force with the primary objective of establishing an equitable and just framework for administration of copyright and sharing of revenue to protect the rights of owners and authors incorporated in cinematography and audio recordings.

“The amendment of 2012 added to the burden with respect to “issuing or granting licence” in respect to the above-mentioned works. Previously, the Copyright (Amendment) Act, 1994 added Section 33 to the Act which made it mandatory those only copyright societies can grant licence or issue copyright licence. As a part of the 2012 Amendment, section 33(3A) was added, which laid down a new guideline that any copyright society carrying out the business of granting or issuing copyright licence must register itself again within the period of 12 months from the date of the amendment. Therefore, any copyright society which existed prior to the amendment has to re-register itself within the given time frame. Also, there was no punishment prescribed in case any copyright society fails to do so.”

11.3.1 "Work" protected in India

The Copyright Act 1957 (the Act), supported by the Copyright Rules 1958 (the Rules), is the governing law for copyright protection in India. Substantial amendments were carried out to the Copyright Act in 2012 (Singh, 2020).

Under the Copyright Act, 1957 the term "work" includes any artistic work which could be a

literary creation, a painting, a piece of sculpture, a drawing (including a diagram, a map, a chart), an engraving, a photograph, a work of architecture or artistic craftsmanship, dramatic

work, and so on. A musical work, sound recording and cinematographic film would also come under its purview.

With the growth and development of Technology and specifically digitization, there was a requirement for a Digital Copyright Law.“Government of India in 1998 passed the Digital Millennium Copyright Act, which updated copyright laws to address the realities of Digital Technology at present”(vedantayadav@lawtimesjournal.in).

However, it must be noted that not all types of work are subject to copyright. A copyright does not protect ideas, discoveries, concepts, or theories. It also does not protect brand names, logos, slogans, domain names, and titles. For an original work to be copyrighted, it has to be in a tangible form. This means that any speech, discoveries, musical scores, or ideas have to be written down in physical form in order to be protected by copyright.

Copyright vs. Trademarks and Patents

There are other laws, such as trademarks, and patents which offer different forms of protection for intellectual property.

Trademark laws protect materials which include words, phrases, or symbols—such as logos, slogans, and brand names—which copyright laws do not cover. Patents cover inventions for a limited period of time. Patented materials include products such as industrial processes, machines, and so on.

Check your progress 3

- 1) What are the works covered under copyright law?

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- 2) Can you give examples of a type of work under each category?

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- 3) What is the difference between copyright and trademarks and patents?

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11.4 WHO OWNS A COPYRIGHT?

While the copyright law gives the original creators certain exclusive rights, it also recognizes that users of the material have certain rights too and allows them to use some aspects of these works without the need for permission.

Typically, the first owner of a copyright will be the individual person that created a work. However, the exclusive rights granted by copyright can be transferred to others, including legal entities such as corporations, publishers or universities. Therefore, when we seek copyright permission, it is necessary to understand who has the authority to grant permission. It is important to note that the author of a work may not necessarily be the copyright holder. For example:

- In several countries the ‘works’ created in the course of employment are likely to be owned by the employer, though ownership rules vary by jurisdiction. Countries such as Australia and the United States for instance, adhere to some form of a doctrine commonly known as “work-for-hire”. If an employee creates a copyrightable work when employed, the employer is the owner of, and controls the economic rights of the copyrighted work. In countries, such as France and Germany, the law presumes that copyright rests with the employee-author, unless an employment contract is drawn up differently.
- The case of freelance writers/contractors is also not very clear. They may or may not own and control copyright in the works they create in that capacity. This solely depends on the terms of the contract between the contractor and the organization that engaged him/her to perform the work.
- Teachers, university faculty, and learners again may or may not own and control copyright in the works they create in those capacities. In open universities, for example, when materials are created by the teachers or course writers, the copyright rests with the university.
- In cases of co-authorship, where there is more than one author, all authors hold copyright. Joint ownership generally prohibits one author from exploiting a work without the consent of the others, though the United States may be an exception to this rule. If, on the other hand, an author has contributed to a collective work, such as an encyclopedia or an

anthology, she/he is likely to own a copyright on their individual contribution.

As can be seen, ownership and control of rights afforded by copyright laws are complicated and vary by jurisdiction.

Check your progress 4

- 1) When is the copyright not the exclusive right of the author of the work? Discuss.

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11.5 ECONOMIC, MORAL AND OTHER SUCH RIGHTS

Most countries make a distinction between economic rights and moral rights. The World Intellectual Property Organization defines these in the following way:

Economic rights: These are rights that allow owners to get financial gain from the use of their works by others.

Moral rights: These rights permit authors/creators to take certain actions to preserve and protect their work. It rests on the principle that there is a deep link between the author and their works which must be respected and protected by law.

Let us look in detail at both these rights:

Economic rights: People who have created original works get copyright which allows them exclusive rights to control certain uses of their works. Different nations define these rights in different ways, but the exclusive rights in most countries include at least the following points:

- the right to make copies of their works
- the right to publicly perform, disseminate and communicate their works, including via broadcast and any other means
- the right to make translations of their works, as well as adaptations of it and to allow others to do so as well. For example, when authors give film rights of their novel to producers, or allow their work to be translated into other languages.

It is important to note that not all changes to an existing work create an adaptation. Generally, a modification rises to the level of an adaptation or ‘derivative’(as it is sometimes called) when it adds sufficient new creativity to be copyrightable, such as a translation of a novel from one language to another, the creation of a screenplay based on a novel, or the adaptation of a written work into Braille.

These adaptations are entitled to their own copyright, but that protection only applies to the new elements that are particular to the adaptation. For example, a translator has rights to the translated work. For example, if you use an English translation of a Premchand story, you need to also acknowledge the translator as well and make due payment if required.

However, there is an important difference between holding the copyright of a work and the rights that a user/reader has. For example, while the copyright owner owns the exclusive rights to make copies of her novel and gain financially from it, the person who has bought a physical copy of that novel, also has certain rights. She/he can lend it to a friend or sell it to an ‘old books’ bookstore, or even digitally to certain ‘buy back’ sites or donate it to a library. This is the reason why a library can loan physical works as many times as needed without having to ask permission or pay again for the works. This is very different from digital platforms which involve a subscription to the database or an e-book lending system, where users access to the same materials through payment again and again.

On the other hand, the fact that someone owns a physical work, doesn’t grant the owner of the object any copyright over the work. For example, if a museum owns a sculpture that is 1,000 years old, it doesn’t mean that they have any copyright on the sculpture. They are allowed to sell it, donate it, but they can’t control how others might make copies of the work, including taking photographs, making drawings or copies of the sculpture.

Moral rights

“It is important to note that moral rights are personal rights. This means that, even as the author, you cannot assign your moral rights away. This is different to copyright, which can be assigned or licensed to someone else, with the permission of the creator. For example, an author can assign the copyright of their book to a publisher. However, the author will continue to hold the moral rights in the book”<https://legalvision.com.au/what-are-a-copyright-owners-moral-rights/>. For example, a play of Shakespeare cannot be claimed by someone else nor can changes be made to it without acknowledgement to the original work.

Moral rights, therefore, require that the name of the author should always be acknowledged if you are quoting from their work. This is called **right of attribution**. For example, if you go to an art exhibition, you will see that the name of the artist is always mentioned next to the painting or sculptor. The same is true if a movie is adapted from a novel--the novelist name is boldly shown.

Moral rights also require that the work of any creator is not used in any way that destroys their reputation. This is called **right of integrity**. This means that no one can change any part of an original work without the author’s permission or destroy it without first asking if the creator wants to take it back or distort the meaning of the original work.

Countries that recognize moral rights consider them so integral that in most cases even the creators of those works cannot waive away those rights. These rights last indefinitely, even when the economic rights on the work might have expired. Creative Common licenses and legal tools account for these rights.

Moral rights typically include the right to be recognized as the author of the work (known traditionally as the “right of paternity”), and the right to protect the work’s integrity (generally, the right to object to distortion of the work or the introduction of undesired changes to the work).

Check your progress 5

- 1) Say whether the following statements are true or false.
 - i) The authors of an original piece of work have complete legal and moral right over it.
 - ii) Authors have the right to get their work translated.
 - iii) The copyright of the translation also rests totally with the original author.
 - iv) Moral rights are traditionally known as the “right of paternity”.
 - v) Digital platforms have the same rights as copyright rules.
- 2) What is the difference between Economic Rights and Moral Rights?
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11.6 PLAGIARISM

However, despite these stringent copyright laws, plagiarism is rampant in schools and colleges. It is believed that universal access to Internet could be the main reason behind this decline in academic integrity, especially regarding plagiarism. We would like our students to lead ethical lives, so let us discuss ways to avoid plagiarism. We will discuss the different ways in which plagiarism commonly takes place and would like you to be conscious of it, so that you don’t practice it in your life. Remember plagiarism constitutes serious misconduct and as students it is your duty to be aware of this and not be tempted to follow such practices no matter what the circumstances are.

There are many definitions of what constitutes plagiarism, however, according to research resources at plagiarism.org, some of these are:

- submitting someone else’s work as your own

- copying words or ideas from someone else without giving due credit
- failing to put a quote in quotation marks
- giving incorrect information about the source of a quotation
- changing words but copying the sentence structure of a source without giving credit
- copying so many words or ideas from a particular source that it makes up the majority of your work, whether you give credit or not

[adapted from Plagiarism.org 2006]

Plagiarism is derived from the Latin word “plagiarius” which means kidnapper. It is defined as “the passing off of another person’s work as if it were one’s own, by claiming credit for something that was actually done by someone else”[Wikipedia: Plagiarism 2006].

Plagiarism may not always be intentional – it can be unintentional or accidental and may even involve self-stealing. The broader categories of plagiarism include:

- Accidental: this may be due to lack of knowledge about what constitutes plagiarism as well as faulty understanding of citation or referencing style being practiced at your university/college
- Unintentional: the available information is so vast, and on repeated reading from different sources, these may influence our ideas and thoughts so deeply that sometimes unknowingly the same ideas may after a while seem like our own
- Intentional: a deliberate act of copying complete or part of someone else’s work without giving proper credit to the original creator
- Self plagiarism: using self-published work in some other form without referring to the original one

[Wikipedia: Plagiarism 2006] [Beasley2006].

There is a long list of plagiarism methods commonly in practice. Some of these methods include:

- copy-paste: copying word to word textual content.
- idea plagiarism: using similar concept or opinion which is not common knowledge.
- Paraphrasing: changing grammar, similar meaning words, re-ordering sentences in original work. Or restating same content in different words.
- artistic plagiarism: presenting someone else’s work using different media, such as text, images, voice or video.
- code plagiarism: using program code, algorithms, classes, or functions without permission or reference.
- forgotten or expired links to resources: addition of quotations or reference marks but failing to provide information or up-to-date links to sources.

- no proper use of quotation marks: failing to identify exact parts of borrowed contents.
- Misinformation of references: adding references to incorrect or non-existing original sources.
- Translated plagiarism: cross language content translation and use without reference to original work.

www.wikipedia.com/wiki/plagiarism

Maurer H., Kappe F., Zaka B.

At college you are expected to refer to both secondary sources and of course the primary sources as well if you are quoting from a poem or a novel. The secondary sources include books, articles, websites, etc. When you use material from these sources you need to acknowledge the sources, usually by citing the author, the date of publication and sometimes even the page numbers. These are cited in your text as well as references at the end of your essay. Failure to acknowledge another's work constitutes plagiarism which is a serious transgression and can lead to unpleasant penalties. Remember, when you cite sources correctly, you are not only acknowledging the originator of the language and ideas but also showing that you have researched extensively on the topic. It, in fact, shows that you are a diligent student. It of course gives information to your readers if they wish to consult those resources.

Sometimes students unintentionally plagiarize because they fail to recognize the necessity of attributing paraphrased, summarized, and borrowed ideas to their original owners. And indeed, it is sometimes difficult after days of research to know exactly what one has read repeatedly and what one has originally thought. A good thumb rule is, when in doubt, always acknowledge.

Check your progress 6

1) What is plagiarism?

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2) Is plagiarism always intentional?

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11.7 WHAT NEEDS TO BE ACKNOWLEDGED?

Things of common knowledge, such as the years when Indira Gandhi and Rajeev Gandhi were assassinated, facts that are generally known, such as the discovery of penicillin and certain well-known quotations ‘to be or not to be/That is the question’—their sources need not be acknowledged. Of course, anything that you do in terms of surveys that you conduct, photographs that you click or interviews that you do is solely your work. Sometimes you may be confused about whether you need to seek permission. Always follow the dictum when in doubt, take permission. That way you will always be safe.

There are several ways in which you can cite your sources. Be consistent in citing your sources throughout your essay. Students sometimes mistakenly assume that plagiarizing occurs only when the exact words of the author are used without acknowledgement. As we have already mentioned, diverse other forms such as musical lyrics and compositions, visuals, ideas and statistics also need to be duly acknowledged. Therefore, keep in mind that you must acknowledge any borrowed information or ideas you use in your essay whether you have paraphrased, summarized or quoted directly from the source.

We must above all document electronic sources accurately and fully. Because it is so easy to cut and paste text and copy photographs from different sources from the internet, a lot of us forget to note down and acknowledge the sources, forgetting that electronic sources are easier to detect than printed texts and require acknowledgement in even more detail.

Check Your Progress 7

Given below are two sets of original texts. Read the passages from the student essays and say whether there is plagiarism or not in them. Also explain why there is or is no plagiarism in each of the essays

Text A

- 1) **From a lecture by John C. Bean:** Who among us begins writing an article by choosing a topic, narrowing it, and then writing a thesis statement and outline? Rather, most of us begin by being gradually drawn into a conversation about a question in our disciplines that doesn't yet seem resolved. We find something unsatisfying about this conversation: something is missing. Whatever the source of our puzzlement, our own writing originates in our sense of a conflict or question.

From student's essay: Often, people view the writing process as a rigid series of steps. First, you choose a topic, and then you form a thesis. An outline precedes the first draft, revision succeeds the first draft and editing is always the final step. In practice, however, the writing process is not nearly so clear-cut. For instance, John C. Bean (1989) argues that writing often begins not with a thesis but with a question.

From James L. Kinneavy, William McCleary, and Neil Nakadate's Writing in the Liberal Arts Tradition: The goal of learning to write "in the liberal arts tradition" is the well-rounded writer – a person with training and experience in a range of writing tasks, from term papers to poems and stories.

From a student's essay: The authors of Writing in the Liberal Arts Tradition believe that "the goal of learning to write 'in the liberal arts tradition' is the well-rounded writer". A well-rounded writer, they explain is one with training and practice in a variety of writing tasks.

Task adapted from:

<http://www.sinc.sunysb.edu/class/sourcebk/frost3sumframe.html>

Task from BEGE 103

11.8 SUMMARY

As we have discussed in this unit, Copyright in some form or the other has been in existence for a really long time. It was in force in India since the time of the East India Company. However, even now, the copyright law is being modified from time to time to take care of the digital media as it keeps extending itself. Also, it is often difficult to tell what constitutes copyright infringement as it can sometimes be a subjective question. Thus, there is a need for more nuanced laws to lessen the subjectivity. But as students our duty is to always acknowledge sources where we take our material from. This is better for us because not only does it protect us from disciplinary action but also shows our teachers about the research we have conducted on a particular topic. It also enables us to share our readings with our peers.

11.9 SUGGESTED READINGS

Wikipedia

India: Copyright Law In India – Everything You Must Know, 14 December 2017 by Vijay Pal Dalmia, Partner. Vaish Associates Advocates

<https://certificates.creativecommons.org/cccertedu/chapter/2-1-copyright-basics/>

<http://www.sinc.sunysb.edu/class/sourcebk/frost3sumframe.html>

<https://www.investopedia.com/terms/c/copyright.asp#:~:text=Copyright%20refers%20to%20the%20legal,right%20to%20reproduce%20the%20work>

<https://certificates.creativecommons.org/cccertedu/chapter/2-1-copyright-basics/>

<https://www.youtube.com/watch?v=0fdUDecJ6jc>

https://www.wipo.int/edocs/pubdocs/en/wipo_pub_909_2016.pdf

<https://support.google.com/legal/answer/3463239?hl=en>

<https://www.copyright.gov/help/faq/faq-general.html#:~:text=Copyright%20is%20a%20form%20of,both%20published%20and%20unpublished%20works>

<https://resources.library.lemoyne.edu/guides/academicintegrity/example-plagiarism#:~:text=Here%20are%20some%20examples%20of,the%20work%20as%20your%20own>

<http://www.sinc.sunysb.edu/class/sourcebk/frost3sumframe.html>

11.10 ANSWERS TO CHECK YOUR PROGRESS

Check your progress 1

Do it yourself

Check your progress 2

- 1) The printing press is so significant that it has come to be known as one of the most important inventions of our time. It drastically changed the way society evolved. Knowledge is power, as the saying goes, and the invention of the mechanical movable type printing press helped disseminate knowledge wider and faster than ever before. This occurred because i) Printing reduced the cost of books; ii) The time and labour required to produce each book came down; iii) Multiple copies could be produced with great ease.
- 2) Six main features of the Copyright Act, 1911:
 - Copyright in the act of creation, not the act of publishing.
 - Extension of the term of copyright to life and 50 years.
 - No need for prior registry in ‘Register of Stationers’ to receive protection under the act.
 - Unpublished work is also entitled to protection.
 - Summary remedies in suits of infringement.
 - The act to include all form of arts such as literature, painting, music, photography etc.

Check your progress 3

- 1) works
 - Musical works
 - Artistic works or works of visual art
 - Dramatic works
 - Cinematographic works (including audio-visual works)
 - Translations, adaptations, arrangements of literary and artistic works
 - Databases
 - Computer software

- 2) Do it yourself
- 3) Although copyrights, trademarks, and patents are frequently used interchangeably, they offer different forms of protection for intellectual property. Trademark laws protect material that is used to distinguish an individual's or corporation's work from another entity. These materials include words, phrases, or symbols—such as logos, slogans, and brand names—which copyright laws do not cover. Patents cover inventions for a limited period of time. Patented materials include products such as industrial processes, machines, and chemical positions.

Check your progress 4

- 4) • Works created in the course of employment are likely to be owned by the employer, though ownership rules vary by jurisdiction
 - The case of freelance writers/contractors is also not very clear. They may or may not own and control copyright in the works they create in that capacity. This solely depends on the terms of the contract between the contractor and the organization that engaged him/her to perform the work.
 - Teachers, university faculty, and learners again may or may not own and control copyright in the works they create in those capacities. In open universities, for example, when materials are created by the teachers or course writers, the copyright rests with the university.
 - In cases of co-authorship, where there is more than one author, all authors hold copyright and must take permission from their co-author before using the work.

Check your progress 5

- 1) True and false:
 - i) The authors of an original piece of work have complete legal and moral right over it. **F**
 - ii) Authors have the right to get their work translated. **T**
 - iii) The copyright of the translation also rests totally with the original author. **F**
 - iv) Moral rights are traditionally known as the “right of paternity”. **T**
 - v) Digital platforms have the same rights as copyright rules. **F**
 - 2) **Economic rights:** These are rights that allow owners to get financial gain from the use of their works by others.
- Moral rights:** These rights permit creators to take certain actions to preserve and protect their deep link with their work. These rights cannot be assigned to others.

Check your progress 6

- 1) Plagiarism is derived from the Latin word “plagiarius” which means kidnapper. It is defined as “the passing off of another person’s work as if it were one’s own, by claiming credit for something that was actually done by someone else”
[Wikipedia: Plagiarism 2006].
- 2) Sometimes students unintentionally plagiarize because they fail to recognize the necessity of attributing paraphrased, summarized, and borrowed ideas to their original owners. And indeed, it is sometimes difficult after days of research to know exactly what one has read repeatedly and what one has originally thought. A good thumb rule is, when in doubt, always acknowledge.

Check your progress 7

Do it yourself.

