

COPYRIGHT REGISTRATION

Copyright is a form of intellectual property applicable to any expressible form of an idea or information that is substantive and discrete. Copyright law protects expressions of ideas rather than the ideas themselves. Copyright law provides for protection of Original Works of authorship including literary, dramatic, musical, artistic, cinematographic, photographic and sound recording works. Original means, that the work has not been copied from any other source.

Copyright provide bundle of exclusive rights vested in the owner of copyright. These rights can be exercised only by the owner of copyright or by any other person who is duly licensed in this regard by the owner of copyright. Copyright is a legal concept, enacted by most governments, giving the creator of an original work the exclusive rights to it. Generally, it is **"the right to copy"**. Computer programs are considered as literary works and are protected under the Copyright Act. There is no copyright in an idea.

The contemporary intent of copyright is to promote the creation of new works by giving control to the Author or Creator and to earn profit from them. The Indian law of copyrights is enshrined in the **Copyright Act, 1957**. Registration of Copyright is optional. However it is always advisable to obtain a registration for a better protection.

The symbols associated with Copyright is © which represent the status of a mark.

WHAT IS PROTECTED BY COPYRIGHT:-

Copyright protects the expression of ideas (e.g. words and illustrations). Ideas alone are not protected. The following may be protected under copyright law:

1. Literary works (e.g., written works, source codes of computer programs)
2. Dramatic works (e.g., scripts for films and dramas)
3. Musical works (e.g., melodies)
4. Artistic works (e.g., paintings, photographs)
5. Published editions of the above works
6. Sound recordings, Films and Television and radio broadcasts
7. Performances

WHAT IS NOT PROTECTED BY COPYRIGHT:-

Subject matter not protected by copyright include:

1. Ideas or concepts
2. Discoveries
3. Procedures and Methods



4. Works or other subject matter that have not be made in a tangible form in a recording or writing
5. Subject matter that is not of original authorship

IN INDIA REGISTRATION OF TRADEMARK INCLUDE FOLLOWING STEPS

1. To decide and identify the work to be copyright and to check whether it can be protected and Register as Copyright.
2. To make application and obtain NOC from Trademark Registry, if required.
3. To fill all details in Form XIV and obtain NOC if required.
4. To fill all details in Statement of particular and Statement of Further Particular.
5. To file Application with Registry and make payment of fees.
6. Thereafter, the Registrar may refuse the application if it found similar registered trademarks or else it may accept application, subject to amendment / modification / condition if any, and may issue Examination Report objecting proposed for requirement of clarification, details or documents.
7. To Draft and file reply to Objection with Registry as reply to Examination Report.
8. Upon receipt of reply, details and documents, the Registrar shall to register the application.

REGISTERING A WORK PROVIDES GREATER PROTECTION & ADVANTAGES AS FOLLOWS:

1. Registration will Establishes a public/government record of the copyright holder's ownership in his/her work and ideas which are expressed.
2. It allows Copyright holders to sue infringers in court.
3. Impose injunctions whether interim or final for infringement against the infringer.
4. Registration will avoid a costly dispute over the actual ownership. Your copyright registration will provide proof of your ownership and relieve you of this legal burden.

Criminal action also can be taken on the basis of copyright registration. The minimum punishment for infringement of copyright is imprisonment for six months with the minimum fine of Rs. 50,000/-.