

# **COPYRIGHT ACT 1957**

**प्रतिलिप्यधिकार अधिनियम**



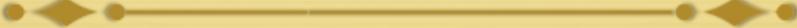
Copyright Act, 1957

**MJMC/SEM IV/PAPER 402**

**Presented by**

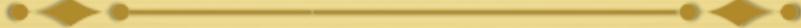
**DR. ARCHANA BHARTI**  
**GUEST FACULTY, MMHA&PU PATNA**  
**DATE- 21/04/2020**

# COPYRIGHT ACT



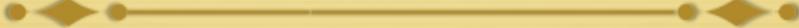
- ✦ The Copyright Act 1957 governs the subject of copyright law in India. The Act is applicable from 21 January 1958.
- ✦ The history of copyright law in India can be traced back to its colonial era under the British Empire.
- ✦ The British Copyright Act, 1911 was brought into force in India, by a proclamation in the Gazette of India on the 30<sup>th</sup> October 1912.

# COPYRIGHT ACT



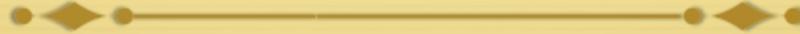
- ✦ Two years later, the Indian Copyright Act, 1914 was passed by the Indian Legislature incorporating the British Copyright Act, 1911 in its schedule and modifying and adding to some of its provisions in their application to India.
- ✦ The Copyright Act 1957 was the first post-independence copyright legislation in India and the law has been amended six times since 1957.

# WHAT IS COPYRIGHT



- ✦ Copyright is a right given by the law to creators of literary, dramatic, musical and artistic works and producers of cinematograph film and sound recordings.
- ✦ It is a bundle of rights including rights of reproduction, communication to the public, adaption and translation of the work.
- ✦ There could be slight variations in the composition of the rights depending on the work.

# MEANING OF COPYRIGHT



- ✦ Copyright means the exclusive right, by virtue of and subject to the provisions.
- ✦ In the case of literary, dramatic or musical work, to do and authorize the doing of any of the following acts; namely:
  - To reproduce the work in any material form;
  - To publish the work;
  - To perform the work in public;
  - To produce, reproduce, perform or publish any translation of the work;



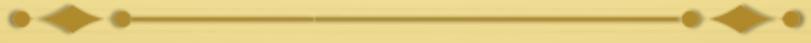
# MEANING OF COPYRIGHT



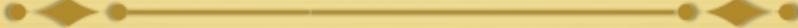
- To make any cinematograph film or a record in respect of the work;
- To communicate the work by radio-diffusion or to communicate to the public by loudspeaker or any other similar instrument the radio-diffusion of the work;
- To make any adaption of the work;
- To do in relation to a translation or an adaption of the work any of the acts specified in relation to the work in the first four clauses (i) to (iv).



# MEANING OF COPYRIGHT

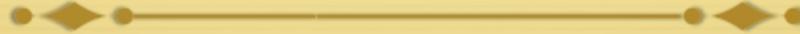
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- ✦ In the case of a cinematography film, to do or authorize the doing of any of the following acts; namely:
- To make a copy of the film;
  - To cause the film, in so far as it consists of visual images, to be seen in public and, in so far as it consists of sound, to be heard in public;
  - To make any record embodying the recording in any part of the sound track associated with the film by utilising such sound track.

# WHY SHOULD COPYRIGHT BE PROTECTED



- ✦ Copyright ensures minimum safeguards of the rights of authors over their creations, thereby protecting and rewarding creativity.
- ✦ The protection provided by copyright to the efforts of writers, artists, designers, dramastics, musicians, architects and producers of sound recordings, cinematograph films and computer software, creates an atmosphere conducive to creativity, which induces them to create more and motivates others to create.

# COPYRIGHT INFRINGEMENTS

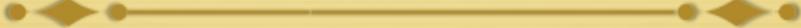


- ✦ Under Article 51 of the Copy Right Act, 1957, infringement of copyright has been discussed.

*When any person, without a license granted by the owner of the copyright or the Registrar of Copyrights under this Act or in contravention of the conditions of a license so granted or of any condition imposed by a competent authority under this Act does anything the exclusive right to do which is by this Act conferred upon the owner of the copyright.*

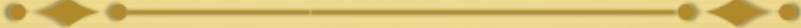


# COPYRIGHT INFRINGEMENTS



- ✦ The following are some of the commonly known acts involving infringements of copyright:
  - Making infringing copies for sale or hire or selling or letting them for hire;
  - Permitting any place for the performance of works in public where such performance constitutes infringement of copyright;
  - Distributing infringing copies for the purpose of trade or to such an extent so as to affect prejudicially the interest of the owner of copyright;
  - Public exhibition of infringing copies by way of trade; and
  - Importation of infringing copies into India.

# PUNISHMENT OF CRIME



- ✦ The minimum punishment for infringement of copyright is imprisonment for six months with the minimum fine of Rs. 50.000/-.
- ✦ In the case of a second and subsequent conviction the minimum punishment is imprisonment for one year and fine of Rs. One lakh.

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The background features a light yellow-to-cream gradient. At the top, there are several faded, overlapping postmarks in red and gold, including the word 'POSTAGE' and various circular stamps. A horizontal line with diamond-shaped end caps is positioned above a large, dark red scroll graphic. The scroll is unrolled in the center, revealing the text 'THANK YOU' in a bold, yellow, serif font.

**THANK YOU**