

**PAPER 10: SPECIALISATION PAPER IV:**  
**LAW OF COPYRIGHTS**

**Objectives:**

Copyright is a non-industrial property which came to the fore to protect the creator from unauthorised reproduction of the work. With the advent of technology, new forms of copyright and allied rights have emerged and the legislations of India in particular and world in general have undergone many changes to extend protection to the copyright holder from unauthorised use of the same especially in the context of technological revolution. In order to understand the subject matter in which copyright protection subsists, students are required to study the legal regimes of copyrights and allied rights to the fullest and deepest level to be professionally relevant in contemporary society.

**Course Outcomes:**

On successful completion of the course the student will be able to –

1. demonstrate evolution and growth of copyright law
2. understand the significance of copyrights and neighboring rights
3. analyse the basic requirements of copyrightability
4. examine the requirements of assignment and licensing of copyright
5. give practical advice on the remedies available for copyright infringement.

**Course content:**

**UNIT: I** – Indian and international history of Copyright law, meaning and nature of copyright; Basic concepts of copyrights; subject matter of copyright; the meaning of literary, dramatic, musical, artistic works and cinematograph films and sound recording.

**UNIT: II** –Basic principles underlying the copyright law in India compared with that of U.K., U.S. and E.U. The salient features of the Indian Copyright Act, 1957 as amended up-to-date. Authorship and ownership of copyright; rights conferred by Copyright; work of joint authorship; term of copyright.

**UNIT: III** – Transfer of copyrights- Assignment, Transmission and licenses; relinquishment of Copyright.

Neighbouring rights: Performer's Rights and Rights of Broadcasting Organisations. Copyright Societies; Copyright Board.

**UNIT: IV** –Infringement of Copyright: infringement of copyright in different works; Remedies: Civil (Injunctions- Anton Piller, Mareva, John Doe Orders), Administrative and criminal; threat of legal proceedings and slander of title; Appeals.

**UNIT: V** –Salient features of international legal instruments on copyright and related rights: Berne Convention for the Protection of Literary and Artistic Works, 1886; Universal Copyright Convention (UCC), 1954; TRIPs Agreement, 1994, Rome Convention:

International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations, 1961; WIPO Copyright Treaty, 1996; WIPO Performances and Phonogram Treaty, 1996.

**Prescribed Books:**

1. William Cornish and David Llewelyn, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Sweet and Maxwell, London (2003).
2. P. Narayanan, Copyright and Industrial Design, 3<sup>rd</sup>Edn., Eastern Law House, New Delhi and Kolkata (2002).
3. L. Bently and B. Sherman, Intellectual Property Law, Oxford University Press, Oxford.
4. Melville B. Nimmer and Paul Edward Geller, International Copyright Law and Practice, Mathew Bender & Co., (1998).
5. Sam Ricketson, The Berne Convention for the Protection of Literary and Artistic Works: 1886-1986, Kluwer London (1987).
6. E.P. Skone James *et al*, Copinger and Skone James on Copyright, 13<sup>th</sup>edn., Sweet and Maxwell Limited, London (1991).
7. V. K. Ahuja, Intellectual Property Rights, Lexis Nexis, New Delhi.

**Reference Books:**

1. Department of Business Laws, NLSIU, Bangalore, International Legal Instruments of intellectual Property Rights Law, Vols. I & II.
2. W.R. Cornish, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights, Universal Law Publishing Co. Pvt. Ltd., Delhi (2001).
3. Elizabeth Verky, Intellectual Property, Eastern Book Publication Co., Nagpur.
4. Mira SundaraRajan, Moral Rights: Principles, Practice, and New Technology, Oxford University Press, 2011.
5. Robert A Gorman, Jane C. Ginsburg, Copyright Cases and Materials, Foundation Press, 2011.
6. Paul Goldstein International Copyright: Principles, Law, and Practice, Oxford University Press, 2012.
7. N.S. Gopalakrishnan & T.G. Ajitha, Principles of Intellectual Property, Eastern Book Company, 2nd edn., 2014.
8. Ashok Soni, A Complete Reference to Intellectual Property Laws, Vols. 1&2.
9. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd edn., 2008.
10. Ranabhir Singh, Law relating to Intellectual Property, Vols. 1-3, Universal Law Publishing Co. Pvt. Ltd., Delhi.