



ROLE OF LIBRARIAN IN IMPLEMENTATION OF COPYRIGHT

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ABSTRACT

Awareness about copyright and Intellectual property right has been developed among copyright Intellectual property right holders and users. The more instance of copyright violation are observed, there is need to develop understanding among the users to protect the right of copyright and intellectual property right holders. Information literacy about fair use among the users Needs to be developed. The library professionals should also know the provisions of fair use under the copyright act and should take right steps to protect the interest of copyright holder. Book piracy has become serious problem to copyright holders. Appropriate mechanism to protect right of copyright holders and prevention of information piracy necessary.

Keywords :- Copyright, Information, Librarianship, Phonographs, Broadcasting and Databases

INTRODUCTION

Information is a powerful tool for the development of society. It is a valuable commodity required for the planning, directing, controlling, decision making, motivation, forecasting, research and development activities and so on to ensure productive and gainful operations. The information is available in digital form print and non print like books periodicals CD-Roms, online and offline information.

Traditionally the library acquired information source, process information, store information retrieval information and disseminate information development of information technology particularly internet, CD-Rom and communication media have changed the concept of transfer and available information on internet.

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Copyright is granted to development of domestic and creative activity, facilitates transfer of technology, attracts foreign investments ensure maker access for products. It is economic value of the Creator, it determined economic values and grant the right to control and prohibit use of creators works

Copyright has two objectives:-

- To encourage the creation of new and original works
- To disseminate knowledge and information for promotion of national development.

Implication of copyright law on database:-

The law of copyright was framed in order to protect the creator against piracy of his work. This right is not a right which arises under common law but right to grant the protection.

Today worldwide explosion of information and revolution of communication technology, many interesting issues have common up which have great impact. In the filed of library and information science. Library professionals and information scientists are the information provides to the information users. User uses various information sources. They often download required information from online. According to us copyright act. Define “A compilation is work formed by the collection and assembling of preexisting material or data that are selected, co-ordinate, or arranged in such a way that the resulting work as a whole constitutes an original work of authorship.”

Principles of Copyright Protection:-

- Protection of copyright need original works
- The copyright in literary, dramatic, musical and artistic works belongs to the creator.
- The author has to be a person not a corporation.
- Work produced with the aid of computer, the person who undertakes the arrangements necessary for the creation of work is considered as the author.
- In case, a work is produced by someone in the course of his employment, then the normal rules is that the copyright is owned by employees copyright will belong to the employer only if it is part of the employer duties to produce the work.
- The copyright owner can give a license to work by others any assignment of copyright is to be in writing.
- Use of research and private study is generated permissible. There is no requirement acknowledgement.



Fair Use :-

Many people thought that they could use and enjoy the writings of an author, the music of a composer and the paintings of an artist freely without realizing that creator had to be compensated. Today everything has acquired by paying some amount of compensation to the owner.

The fair use of a copyrighted work, including such use by reproduction in copies or phonographs or any other means specified by that section for purpose such as criticism, comment, news reporting, teaching (including multiple copies for classroom use etc). The four factors consider for the fair use. i.e. 1. Purpose and character of your use. 2. The nature of copyright work. 3. The amount and substantiality of the portion taken. 4. The effect of the use upon the potential market.

Work not protected by copyright :-

- Works that have not been fixed in a choreographic works that have not been recorded or speeches or performances that have not been written or recorded.
- Titles, names, short phrases and slogans, familiar symbols or designs, more variations of typographic ornamentation lettering or colouring were listing of ingredients or contents.
- Ideas procedures, methods, systems process, concepts, principles, discoveries or devices as distinguished from a description, explanation or illustration.
- Works consisting entirely of information that is common property and containing no original authorship for example, standard calendar, high weight charts tape measures and rulers and list and tables taken from public documents.

Development of copyright law in India :-

The development of copyright law in India associated with the British copyright law statute of Anne, the first copyright Act in England, was passed in 17th Century which provided that the author of any book already printed will have the sale right of printing such book for a term mentioned there in. Thereafter, came the act of 1814 and then the act of 1842 which repeated the two earlier acts of 1709 and 1814. The copyright act of 1911 in England had codified and consolidated the various earlier copyright acts on different works. Then came the act of 1956 in India, the first copyright act was passed in 1914. Amendment of this act in 1983, 1984 which was mainly introduced with the object to discourage and prevent the widespread piracy prevailing in video films and records. The copyright amendment act 1994 has effected many major amendments in the copyright act of 1957.



Features of copyright act 1957 :-

- Creation of a copyright office and a copyright board to facilitate registration of copyright and to settle certain kinds of dispute arising under the act and for compulsory licensing copyright.
- Definition of various categories of work in which copyright subsists and the scope of the rights conferred on the author under the act.
- Provision to determine the first ownership of copyright in various categories of works
- Terms of copyright for different categories of works.
- Provisions relating to assignment of ownership and licensing of copyright including compulsory licensing in certain circumstances.
- Provisions relating to performing rights or by societies.
- Broadcasting rights
- International copyright.
- Definition of infringement of copyright.
- Exception to the exclusive right conferred on the author or acts which do not constitute infringement.
- Author's special rights.
- Civil and criminal remedies against infringement.
- Remedies against groundless treat of legal proceedings

CONCLUSION :-

Librarianship is considered as a profession having concern with intellectuals. Librarianship includes not collection and preservation of knowledge includes public relations. To become a successful librarian, one requires skills to obtain the knowledge, arrange it with proper scientific procedures, retrieve it as and when required and keep good public relation. If we consider that there are the functions of librarian, it is essential that a librarian should have a knowledge of the situations related to production of information sources especially about the rules and regulations is laws related to librarianship such as copyright acts copyright discussed.

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