

Perspective

A general note on copyright

Jim Moshar*

Department of Law, Terrace University of Leeds, Leeds, UK.

Accepted 17 December, 2021

ABOUT THE STUDY

A copyright is a sort of intellectual property that grants the owner the sole right to duplicate and distribute a creative work for a set period of time. Literature, art, education, and music are all examples of creative endeavour. Copyright protects the original representation of an idea in the form of a creative work, but not the notion itself. Copyrights can be awarded by public law and are referred to as “territorial rights” in this situation. This means that copyrights granted by a state’s statute are only valid within that state’s jurisdiction. Many countries, and frequently a large group of countries, have created agreements with other countries on how to proceed when works “cross” national borders or when national rights are in conflict. Copyright can apply to a wide range of artistic, intellectual, or aesthetic works. Poems, theses, fictitious characters, plays, and other literary works can all be protected, as can motion pictures, choreography, musical compositions, sound recordings, paintings, drawings, sculptures, photographs, computer software, radio and television broadcasts, and industrial designs. Graphic and industrial designs may be subject to separate or overlapping rules in various countries. Copyright does not protect ideas or information; only the form or technique in which they are expressed is protected. The copyright to a Mickey Mouse cartoon, for example, prevents others from making copies or creating derivative works based on Disney’s specific anthropomorphic mouse, but it does not prevent the creation of other works about anthropomorphic mice in general, as long as they are distinct enough from

Disney’s to not be considered copies.

Copyrights are typically enforced by the holder in a civil law court, although some jurisdictions also have criminal infringement provisions. While some countries maintain central registries to assist in proving ownership claims, registering does not always imply ownership, and copying does not always imply copyright infringement. Criminal punishments are usually reserved for severe counterfeiting, although they are becoming more widespread as copyright organisations like the RIAA increasingly target home Internet file sharers. According to the World Intellectual Property Organization, copyright protect two types of rights. Authors and artists have moral rights that allow them to take certain efforts to protect and preserve their ties to their work. The author or creator may possess the economic rights, or they may be granted to one or more copyright owners. Moral rights cannot be transferred in many countries. When it comes to any type of property, the owner has the final say on how it is used, and others can only use it legally if they have the owner’s permission, which is usually granted through a licence. However, the owner’s use of the property must be consistent with other members of society’s legally recognised rights and interests. As a result, the owner of a copyright-protected work has the authority to decide how the work is used and to prevent others from doing so without permission. National laws often give copyright owners exclusive rights to allow third parties to use their works, subject to the rights and interests of those that are legally recognised. Most copyright laws indicate that writers or other owners of rights to a work have the authority to authorise or prohibit specific conduct in regard to the work.

*Corresponding author. Jim Moshar, E-mail: jimm1233@gmail.com.