

Copyright in Digital Era

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Article Info

Volume 83

Page Number: 8938 - 8941

Publication Issue:

March - April 2020

Article History

Article Received: 24 July 2019

Revised: 12 September 2019

Accepted: 15 February 2020

Publication: 09 April 2020

Abstract

The advent of Digital Technology was one of the scientific community's most important inventions. Across various areas, such as television, culture, networking, advertisement and schooling, software has extended the door to a range of options. The need for honoring writers and the social value of publishing of these plays must be reconciled. With the rise of social media as a remarkable and completely new medium for global human contact, the protection of development works has now become, to the point the web allows, a serious concern for lawyers and other interested parties. The above Web technologies are developing as the "largest copy military on earth." The inconsistencies and paradoxes that underlie the digital dilemma are very much associated with the incoherence between the notion of "knowledge is safe" and the expectation that info should become more properly regulated in the real environment. This study looks critically at the appearance

Keywords; Digital Environment, Technological Circumvention, Copyright

INTRODUCTION

Laws under Copyright gives unique rights granted to the authors of an innovative work (films, lyrics, computer programmes, paintings, and even architectural drawing) for a limited duration. The word 'Original' in copyright law means originality of the countenance or execution of the idea and not to the originality of the idea, as under copyright law ideas are not eligible for protection. The law protects the different ways in which an idea can be expressed. The right to transfer the work, reproduce the work, creative derivative works, translate the work etc. comes under copyrightable work.

With the advent of digital knowledge, the dissemination on the internet of the copyrighted material has brought about a drastic change in pre-existing law. Unfair use and unauthorized copying of copyrighted material such as apps, images, songs etc. have become significant digital domain problems. In order to trash the difficulties, various and different new technologies and legal solutions and precautions have been come up as development like Dig marc, Encryption, etc and other than

framing of different treaties at international level and agreement like WIPO, ACTO, TRIPS etc

INDIAN SCENERIO

The Indian copyright law normally comprises of the copyright Act 1957. The 1994 reforms were a reaction to technological changes in digital technologies such as broadcasting and telecasting, as well as the development of new equipment such as computer software. The 1999 changes made the copyright completely compliant with the Intellectual Property Rights (TRIPS) Treaty on Trade-Related Aspects.

Updated Legislation is unable of handling challenges and problems faced by digital technologies including those of online. According to Indian Act 'Publication for purposes of copyright means, "making a work available to the public by issue of copies or by communication the work to the public at large".

The true meaning of the word "information to the govt" was changed and upgraded through 2012 amendment. The earlier definition only applied to

“works”. If the work or output is made available, whether at the same point of time or at randomly selected locations and times, this would also be known as “open” contract. Therefore, most popular services (Video-on demand etc. ; must simply be treated a s” public dialogue”. In the year 1998, India’s govt brought the Digital Millenium Copyright Act, which upgraded the legislation of copyright and kept a check an dprovided a solution for copyright digital disadvantages. Through technological development and, Most likely, digitization the entire world has always acknowledged the purpose and the need for a digital copyright law Copyright Law. As the surge in digital data recording clearly needs security globally, the current law on copyrights has been updated. Advancing the technology presented a great challenge to current copyright regulations because the regulation was originally developed throughout print media, and eventually took to its safe protection original works, photographs, sketches, and paintings, which later changed to include images and film. To order to keep going on new historical history, these outdated laws and its core principles had to be updated to intellectual property. Computer copiers or recording devices may easily obtain digital data which can contribute to the constant flow of the job.

COPYRIGHT AND COMPUTER SOFTWARE/PROGRAM

Computer technologies are an essential requirement in the knowledge-based global economy to access and use information, accelerate technology transfer, and boost productivity growth.. TRIPS Agreement now allows computer programs to be protected under the head of copyright like other subject matters of Copyright Act and other IP rights which also include Patents in some nations, like in United States.

All over India, Computer software’s intellectual property rights are granted protection by copyright law. Accordingly, computer software’s copyright I s

getting protection under 1957 Indian Copyright Act provisions. Big major changes were brought in 1994 to the Indian Copyright Law and came into force on May 10, 1995. Area of opurnation.Such amendments or modifications made the copyright law in our nation India one of the hardest in the whole world. The reforms passed in June 1994 to the copyright Act are, in themselves, a milestone in the copyright area of our nation. This area of law clearly explained for the very 1st time in our nation. A copyright owner’s benefits; place on computer rentals; User’s right to copy of original work.

Under to Section 14 of this Act, copies of proprietary software may not be created or circulated without appropriate or special authorisation.

The infringer is convicted under civil law and criminal law.

Legal proceedings can be brought on the basis of injunction, real damages (including the income of the infringer) or legal damages, etc.

If there is any infringement of software copyright there is heavy fine and punishment.

According to section 63 punishment includes a jail for the period of 7 days which

There was a hard and fast need for the copyright protection to become the important requirement as the Internet has become more in use. Copyright provisions has been in modification to protect. It helped in preservation of the original work or work which is fixed in form in which it can be seen or on which ownership can be claimed. Although, the provisions were not specifically designed for the internet, copyright law on the internet is not explicit in some cases. The internet started in the country of U.S. back in thirty years which was mainly used for exchanging information during wartime in the department of government security. This initially ran at a snail's pace (1950-1975), and later the web came

into being in 1983 and replaced the above, expanding throughout the globe.

THE INTERNATIONAL FRAMEWORK

The convention of Berne for the Protection of Literary and artistic works and the 1995 Trade related aspects agreement on Intellectual Property Rights (TRIPS) form the true basis for international copyright provisions. Since the year 1974, a separate organization of the United Nations, the world intellectual property Organization (WIPO), has tried to keep the instruments of the copyright law in control. As mentioned in treaty, the (WIPO), has controlled the international copyright instruments. The goal of the WIPO was, as specified in the Agreement, to facilitate the protection of ownership around the world by collaborating with governments and other international organisations. There are officially 192 member countries of WIPO. Six copyright arrangements are governed by WIPO, targeted at homogenization individual patents with the eventual intent of creating the new one, coherent international human rights law entity.

The TRIPS Agreement

In the parallel with WIPO, the GATT (General Agreement on Tariffs and Trade) also addressed issues of copyright. The main goal of GATT's is to "promote the elimination of the tariff barriers to the movement of goods" During global round table negotiation, the GATT is reviewed and upgraded. When copyright became extremely important in making in believe the international framework with the emergence of societal information.

From the discussion above, it is bit clear that the needs of the copyright requirement of the TRIPS Agreement has to follow the protection process of copyright in the Berne Convention Article 10.1 which provides that Computer programs. SArticle 10.2 also provide that Compilation of info. Whether machine-readable form or in other form, mwhich also constitutes creation of intellectual creations as a result of the compilation or arrangement.

World Intellectual Property Organization (WIPO)

Before it was established a number of bodies have been set-up, including the Paris Union Council, the Executive Committee and the Bern International Bureau, which were then united in a so-called 'Bureau Internationaux Reunis pour La Protection de La Propriete Intellectuelle.' WIPO is a United Nations (United Nations) organization. The operations of the IPO are of four types: registration, advancement of IPR collaboration, advanced software initiatives and resolving disputes services. The WIPO tasks are of four kinds.

In 1996, member countries found it necessary to form a treaty to tackle the development of new technologies in the defence of copyright. .

SHIELDING OF INTERNET IN INDIA

The use of Internet has been increasing in India at a very fast pace in our nation India. It has been facing lots of problems. But one of the major problem affecting the internet is saving of intellectual property- works of the mind. According to section and of the Copyright law in India, without the proper grant of permission of the copyright owner. Literary work, photograph, music, sound recordings are under protection. If legislation in copyright governs these works as they live on the internet is not crystal clear till now.

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CONCLUSION

It can be established that almost all governments have physical, computer software / program and

Web safe data by changing their copyright regulations. But that's how. It is undisputed that copyright proprietors have some limitations in established copyright laws. The feasibility of enforcing intellectual property rights on people has been a source of concern. Many countries require a constructive collaboration and strategic partnership with international institutions, owing to the infinite nature of the industry. Society should be aware of the need for patent protection in order to discourage infringement.

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