



Relations between copyright holders, libraries and users

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Abstract:

Copyright is legal entity and a right for the creator's work. It can be in any form. So the copyright is a guarantee to secure the creator's work. It is the main responsibility of the government, related societies and civil society to promote the copy right culture in their regions.

The relation between the copyright holders, libraries and users is very communal, interactive and unified. These are main stakeholders about the copyright. So this paper describes that the copyright holders, libraries and users must enhance inter cooperation to spread out the material as many as to facilitate the readers.

There should be some proper options to control misuse of the creative work to secure the inventor. Especially in this ICT based Era, where IT has made so easy to make duplications and copies of the any time of work which is available in audio and video form.

This paper explores that how a relation can be developed and maintained to safe the future of all the stakeholders. The literature review also guided the author to put some new ideas and recommendation in this regard. Copyright about the audio, visual or any other e format is the key issue in the developing countries. This paper describes how the issue can be resolved by keeping in mind the concerns all the stakeholders.

It has been tried to get in front the suggestion to bridge up these stakeholders to make the copyright convenient for the people. We have also tried in this paper to sketch out the

current status of copyright in Pakistan. What are the limitations and hurdles to promote copyright in this region.

This paper includes a glance about the copyright laws in Pakistan. In South Asia specifically in Pakistan the issue of the copyright is very hot now-a-days. Under the Pakistan Copyright Ordinance of 1962 and its amendments of the year 2000, original works of literature, art and science, regardless of type, significance or purpose are protect able. Protection includes works of art expressed in writing, sound, drawings, photography and motion pictures, such as books, speeches, oral work, dramatic works, musical composition, films, phonographic works and applied art. Such works are protected for the lifetime of the author plus 50 years following his/her death.

Keeping in view above all this paper focuses on three main areas 1) relations between the all stakeholders of copyright; 2) current issues and laws in Pakistan; 3) role of authorities and recommendations.

Keywords: *Copyright Issues, Copyright in Pakistan; Copyright stakeholders; Law Libraries; Relations between copyright holders, libraries and users*

Article Type: Viewpoint

Introduction:

Copyright and intellectual property rights are legal entity and a protection of the rights for the creator's work. This can be in any format. It is a guarantee to secure the creator's work. It is the responsibility and duty of the government, relevant societies as well as the civil society to promote the copy right culture and its awareness in their regions.

The relation between the copyright holders, libraries and users is very mutual, interactive and unified. Basically these are main stakeholders about the copyrights. They enjoy or suffer directly so that is why the copyright holders, libraries and users must enhance inter cooperation to protect their right. I can be through spreading out the material as many as to facilitate the readers. It will reduce the piracy and misuse of copyrights.

Proper alternatives must be considered to control the misuse of creative work to secure the inventor. Especially in this ICT based Era, where IT has made so easy to make duplications and copies of the any time of work which is available in audio and video form.

Relations between the all stakeholders of copyright:

Copyright holders, libraries and users have mutual relations which each-others. It fixes the responsibilities and duties on all to promote the intellectual property rights.

- a) Copyright holders

Copy right holders must be aware about their rights and privileges.
They should have good interaction with the organizations, societies and publishers

b) Libraries

Libraries and its administration must follow the rules regulations and create awareness in the users for proper usage. The libraries should provide orientation sessions to the users for the information about the copyrights issues.

c) Users

It is binding on the users of electronic resources for the fair use during their research and kind of activity. Users should have information about the proper usage of other's work by giving due credit to the original creators.

Copyright holders + Libraries + Users= Copyright Laws

Copyright laws in Pakistan

There are many issues related to copyright in Pakistan. The authorities are trying to implement the laws to stop the misuse. Pakistan has also focused on the legislation for intellectual property rights and copy right laws. There are many agencies under the umbrella of government of Pakistan; which are working to protect the rights of the copyright holders.

Some are efforts carried out by the government of Pakistan:

- The Copyright Ordinance, 1962
- Copyright Rules, 1967
- International Copyright Order, 1968
- Copyright Board (Procedure) Regulations, 1981
- Intellectual Property Organization, Pakistan (IPO Ordinance)

THE COPYRIGHT ORDINANCE, 1962

The provision for the audio video work in the copyright ordinance in Pakistan

Section 2 (ca) "audio-visual work" means a work which consists of a series of related images which are intrinsically intended to be shown by the use of a machine or device, such as a projector, viewer or electronic equipment, together with accompanying sound, if any, regardless of the nature of the material object, such as film or tape, in which the work is embodied"

Section 66C. Penalty for exploitation and appropriation of recording or audiovisual work intended for private use, -- Any person who for the purpose of business, profit or gain, exploits or appropriates any sound recording or audiovisual work intended for

private use, shall be punishable with imprisonment which may extend to three years, or with fine which may extend to one hundred thousand rupees, or with both.”

Pakistan copyright law protected the following;

- ✓ Originally produced literary works
- ✓ Originally production of Dramas
- ✓ Originally Composed Musical work
- ✓ Artistic works
- ✓ Cinema Films
- ✓ Recordings Records (Any Disc, Tape, Wire, & sounds etc.)

Current Issues of copyright in Pakistan

Production of audios and videos in Pakistan

The business of audios and videos are in progress in Pakistan. It generates a big portion of revenue. The audio and video of the national/ local singers, dramas and stages shows are produced on a large scale. Mostly stakeholders do not know about their rights. Even the works produced by various companies are also misused upon producing pirated work. Musical, dramatic and cinematic is being copied/pirated on large scale. It is even produced in a small towns and cities. It is growing like home industries.

Influence and Information Communication (ICT) Tools adoption

During the last decade the role and influence of information technology communication tools has been increased. This is also caused the misuse of audio video material. It can spread the piracy of the original work within a click. Pakistan is a developing country and has no proper options to control this type of illegal use of material. People put the musical and dramatic material and even the personal work of others. It is directly damaging the copyrights.

Role of Social Media

Social media applications are also a source of misuse of copyrights in developing country. People published the material without acknowledging the source or creator's reference. So it should be properly vigilant.

Lack of Awareness about Intellectual Property Rights (IPR)

In developing countries like Pakistan, it has been seen that there is no much awareness about the copyrights. So lack of awareness about the intellectual property rights is also causing the violation of copyrights.

Delay in Justice in the Court Cases

Some copyright holders tried to contact the courts to protect their rights and requested impose the penalties on the misuse of their rights. But the process is very slow and complicated. It disappointed the people as well.

Failure of enforcement agencies' raids

In developing countries the pirate manufacturer are very strong. They have roots in the enforcement and law agencies. So when a complainant lodges a complaint to raid somewhere about the misuse of their rights and production of piracy material. The raids often unsuccessful and became failure due to leak of information and obligation.

Lack of Government Motivation

Due to lack of interest by the government and its related agencies, bodies and units the concept of copyright is not too much familiar to the public. So government interest is very important.

To promote copyright the role of government is very important and essential. The implementation of the copyright laws is only possible under the umbrella of government.

Role of authorities

To implement the copyrights in Pakistan the role of authorities is very important and significant. The government should authorize the agencies and societies to create a liaison with the copyright holders, libraries and users.

The relation of copyright holders, libraries and users is mutual. It is very important to bring them together to save each other benefits.

Things to do

- ❖ Promotion of © on all audio/visual material
- ❖ To create awareness about copyright laws in the general public
- ❖ To stop the piracy of the audio visual material on all levels
- ❖ To implement the copyright laws on grass root level
- ❖ Collaboration with international organizations of Intellectual property rights (IPR)
- ❖ Government agencies participation
- ❖ To conduct seminars, workshops, conferences and talks on various forums

Role of Law Libraries

The role of law libraries is very prominent than the other libraries to promote the copyright laws among their patrons. The library staff should inform the patrons about the

copyright rules regulations. Law libraries can link up the publishers and libraries for the fair use of copyright material.

Law libraries can organize informative sessions by involving the publishers, copyright holders and library users. Law libraries can also work as an IPR society.

Recommendations/conclusion

- Promotion Free & Open Source Software applications
- Promotion of low price electronic resources according to the developing countries
- Special recommendations for developing countries regarding copyrights
- Easy Licensing to the audio video home industry in small towns
- Awareness Seminars, conferences and talks on local/national levels.
- Promotion of reading habits in law libraries
- Ready and easy justice by the courts about copyright cases

Keeping in mind the above point of view we can promote a friendly environment to implement the copyright laws. It can protect the creator's rights. It is indeed to focus the developing countries to avoid the violation of copyright law but beside it there should be proper and low cost solution should be provided to the users.

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