

Legal Implication of Copyright Act 2020: Impact on Academic Research

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Abstract

The awareness of open source software is increasing day by day among the users due to its immense significance. Libraries and their role in society has evolved in pace with technological development and copyright law. Information and knowledge about IPR has become important in the smart environment because in the smart environment it is becoming complicated to prove rights infringement whenever they occur. We all need safety and protection. Same is true for the work we do. This can be illustrated with an example. Imagine you put hard work for writing a book for three-four years. Now you decide to get it published. You go to some ABC publishing house and they publish your book. But after six months you see the same book with some other author's name over it. Here the point is not to discuss how do you feel but the question is what can you do? Answer is pretty straight – go and file the case as our Indian Copyright Act, 1957 gives us this right under Section 63 of the Copyright Act. If found guilty, there is provision for 6 months to 1 year imprisonment along with the fine ranging from 50,000 Rs. to 1 lac.

Copyright is of utmost importance for authors, artists, architects, composers, music production companies and producers, film production companies, computer programmers and designers. Copyright is the legal protection given to the creator of an original literary or artistic work. It is the exclusive right granted by the law to creator of such original work, to do, authorize, or prohibit certain acts in relation to such work. In fact, it is a bundle of rights including, inter alia, rights of reproduction, communication to the public, adaptation and translation of the work. Before the signing and the subsequent introduction of the 1957 Act, the copyright laws of India were governed by the Copyright Act of 1914 which was linked to the British Copyright of 1911. India's copyright laws comply with most international conventions and treaties dealing with copyright protection. The country is a member of the Berne Convention of 1886, the Universal Copyright Convention of 1951 and the Agreement on Trade Related Aspects of Intellectual Property Rights Agreement of 1995--or TRIPS.

This article will discuss the salient features of the copyright act like meaning, duration of copyright, different categories of work that are covered under copyright act, Copyright infringement, Jurisdiction etc. The paper also intends to analyze the Copyright amendment Bill 2012 and wishes to bring out both the positive and worrisome changes in the copyright act.

Keywords: *Open Source Software, IPR, Library Software, Copyright, Copyright Act*