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Protection of Copyrights in Modern Age

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Research Paper - Physical Education

Introduction:

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Copyright is a legal concept that is more than three centuries old, has been evolving over that time, and is codified in a set of international treaties. In 1710, world's first copyright law was passed in England. This Act bring in for the first time the concept of the author of a work being the owner of its copyright, and laid out fixed terms of protection. Following this Act, copyrighted works were required to be deposited at specific copyright libraries, and registered at Stationers' Hall. There was no automatic copyright protection for unpublished works.

What is copyright?

Copyright is a right given by the law to creators of literary, dramatic, musical and artistic works and producers of cinematograph films and sound recordings. In fact, it is a bundle of rights including, inter alia, rights of reproduction, communication to the public, adaptation and translation of the work. There could be slight variations in the composition of the rights depending on the work.

Definition of Copyright:

According to Free Encyclopedia, "Copyright is a legal concept, enacted by most governments, giving the creator of an original work those exclusive rights to it, usually for a limited time. Generally, it is "the right to copy", but also gives the copyright holder the right to be credited for the work, to determine who may adapt the work to other forms, which may perform the work, which may financially benefit from it, and other related

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rights. It is a form of intellectual property (like the patent, the trademark, and the trade secret) applicable to any expressible form of an idea or information that is substantive and discrete".

Types of Intellectual Property Right:

Common types of intellectual property rights are as follows:

- 1) **Patents**
- 2) Copyright
- 3) Industrial design rights
- 4) **Trademarks**
- 5) Trade dress
- Trade secrets

Why should copyright be protected?

Copyright ensures certain minimum safeguards of the rights of authors over their creations, thereby protecting and rewarding creativity. Creativity being the keystone of progress, no civilized society can afford to ignore the basic requirement of encouraging the same. Economic and social development of a society is dependent on creativity.

Fair Use of Work Without Permission of the Copyright Owner:

Subject to certain conditions, a fair deal for research, study, criticism, review and news reporting, as well as use of works in library and schools and in the legislatures, is permitted without specific permission of the copyright owners. In order to protect the interests of users, some exemptions have been prescribed in respect of specific uses of works enjoying copyright. Some of the exemptions are the uses of the work

- For the purpose of research or private study, 1)
- 2) For criticism or review,
- 3) For reporting current events,
- In connection with judicial proceeding, 4)
- Performance by an amateur club or society if the performance is given to a non-5) paying audience, and
- The making of sound recordings of literary, dramatic or musical works under 6) certain conditions.

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Three Reasons for Copyright Protection:

1. Your work is an asset

If you have an original idea or piece of creative work, no matter what others may say, it's still a potential asset and should be treated as such. Your work can end up having considerable value in the future and can even potentially be used for financial collateral. There is also the concept of copyrights as a legacy as they can last for decades, passed down as part of an estate

2. Protect your rights

If someone infringes your copyright, you will have legal grounds to pursue the guilty party to either pay you for a license, or compensate you for any financial loss you may have incurred. If they are using your work without your knowledge, you are well in your rights to stop them doing so and receive compensation for any earnings they have made off the back of your work.

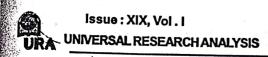
3. Licensing is the way forward

If you have copyrighted works that has attracted the interests of other parties, you can explore your licensing options to make sure you can financially benefit from their use. Licensing is a legal authorization from you to another party that permits them to use some (or all) of your copyrighted works.

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A Prominent Intellectual Property right Patent is an Award for the Inventor and Reward for the Investor

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Research Paper - Physical Education

Introduction

A patent is a form of intellectual property that gives its owner the legal right to exclude others from making, using, selling and importing an invention for a limited period of years, in exchange for publishing an enabling public disclosure of the invention. In most countries patent rights fall under civil law and the patent holder needs to sue someone infringing the patent in order to enforce his or her rights. In some industries patents are an essential form of competitive advantage; in others they are irrelevant.

The procedure for granting patents, requirements placed on the patentee, and the extent of the exclusive rights vary widely between countries according to national laws and international agreements. Typically, however, a patent application must include one or more claims that define the invention. A patent may include many claims, each of which defines a specific property right. These claims must meet relevant patentability requirements, such as novelty, usefulness, and non-obviousness.

Innovation concerns the commercialization of new ideas, while invention is not necessarily directly associated with commercialization. Invention is the generation of a new idea aimed at solving a specific technical problem. Innovation can be seen as a process of interaction and feedback during the various stages of product development. Not all inventions are commercialized, so it is clear that not all inventions result in innovation. Many new ideas are born but "most die a lonely death, never seeing the light of commercial success

