



Copyright

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Computer programmes are entitled to protection under the present law. Computer software comprises of programme manuals, punched cards, magnetic tapes, discs and papers, etc., which are needed for the operation of computers.

Manuals, papers and computer printouts can be classified as literary work but the concept of algorithms, normally used in programming are not capable of a copyright protection. Software containing certain special information in a particular notation, mainly punched cards, may be treated as literary work. Regarding magnetic tapes and discs, if electronic impulses are recorded on them, it is considered as literary work. Programmes which are designed for operating computers are generally speaking, accepted to be within the ambit of artistic and literary work.

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The author is recognised as the first owner of the copyright except in the case of commissioned works done for valuable consideration during the course of employment either under a contract of service or of apprenticeship. In case of films, the copyright vests in the film producer. Similarly, in case of musical works recorded on phonograph record, the copyright vests with the manufacturer of the original master record from which other records are made. The duration of copyright in any unpublished work is perpetual. Copyright protection in published work is for the life of the author and continues for 60 years after his death.

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Provisions have been made in the Indian Copyright Act, for registration of copyright with the Copyright Office. The Copyright Office is located in the Ministry of Education, New Delhi. Copyright registration is not mandatory but optional. The registration of copyright is useful in protecting and enforcing the legal rights of the owner. The Copyright Act provides for civil and criminal remedy for violation of copyright laws.

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