

# COPYRIGHT ACT

Posted at: 10/12/2024

## COPYRIGHT ACT

**Context :** Actor Dhanush has sent a legal notice to actress Nayanthara, demanding ₹10 crore in damages for allegedly infringing copyright over a movie.

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### Background: Copyright Act, 1957

The **Copyright Act, 1957** is the primary legislation in India governing copyright protection and enforcement. It has undergone significant amendments in **1983, 1984, 1992, 1994, 1999, and 2012**, adapting to evolving creative and technological landscapes.

### Key Provisions of the Act

#### 1. Copyright Protection:

- Grants exclusive rights to creators of original works, including **literary, artistic, musical, dramatic works**, films, computer programs, and sound recordings.
- Includes both **economic** and **moral rights**:
  - **Economic Rights**: Reproduction, distribution, public communication, and adaptation of the work.
  - **Moral Rights**: Right to claim authorship and prevent distortion or misuse.

#### 2. Duration of Protection:

- **Literary, Artistic, Dramatic, and Musical Works**: Life of the author + 60 years.
- **Cinematograph Films, Sound Recordings, and Anonymous Works**: 60 years from publication.

#### 3. Transformative Works:

- Protects creative adaptations or reinterpretations of existing materials.
- Example: Comedy group **AIB's 2015 spoof video** on Yo Yo Honey Singh's "Party All Night" qualifies as inspired work, not infringement.

#### 4. Public Domain:

- Works in the **public domain** are not protected by copyright. For instance, religious texts like the **Ramayana** or **Bible** are public domain. However, adaptations like **Ramanand Sagar's Ramayana** are transformative works and protected.

## 5. Copyright Infringement:

- Infringement occurs if a **substantial part** of a copyrighted work is used without authorization.

## 6. Fair Use (Section 52):

- Certain uses are exempt from being considered infringement, such as:
  - **Private or personal use** (e.g., research or study).
  - **Criticism, review, or reporting** of current events.

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### Implications of the Case

The dispute between **Dhanush** and **Nayanthara** hinges on whether the alleged use constitutes infringement under the Act or falls within exceptions like fair use or transformative work. The demand for ₹10 crore emphasizes the potential financial and legal consequences of copyright disputes in the entertainment industry.

### Conclusion

The case highlights the complexities of India's copyright law, especially in creative industries. As the legal proceedings unfold, the interpretation of concepts like **fair dealing**, **transformative works**, and **substantial use** will be critical in determining the outcome.

