

PROTECTION OF COPYRIGHT



PUBLISHED 14th FEBRUARY 2024



WHAT RIGHTS AND BENEFITS DOES ONE HAVE OVER ARTISTIC AND LITERARY WORKS?

Unlike trademarks, you do not necessarily have to register a copyright – it is a right that accrues by virtue of creation of either literary or artistic works such as books, art pieces, music compositions, movies, photographs, works of architecture and speeches or even sermons.

What attaches a copyright to a person – simply authorship! Your work is protected on the sole fact of its creation and irrespective of its mode or form of expression. It must be an original intellectual creation in the literary or artistic domain.

If your name is indicated as the author on a work, you are presumed to be the author of that work in the absence of proof to the contrary. If it is anonymous or pseudonymous work, the publisher whose name appears on the work is presumed to represent the author and in this capacity shall be entitled to exercise and enforce the moral and economic rights of the author. These rights include the right to carry out and authorise reproduction, translation, adaptation, arrangement or other transformation of the work, Importation of copies and public performance of work.

What is the duration of a copyright? A copyright attaches to an author for their lifetime and for 50 years after their death.

If someone wishes to use your works, they can pay you. If a sound/song is published for commercial purposes, broadcasting or other communication to the public, you should be remunerated.

A user of your works may also pay royalties - The Copyright Society of Botswana (COSBOTS) sets rates for royalties, it also collects and distributes the royalties to appropriate owners of copyright.

Stay tuned as we discuss the remedies you have if someone infringes your copyright!

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