

## Is Registration Required For *Copyright* Protection?

Registration is not a compulsory requirement to obtain *Copyright* protection under the Copyright Act or any of the copyright laws of the countries That are members of the Berne Convention for the protection of Literary and Artistic Works.

There is also no requirement for a work to be deposited at JIPO in order to obtain protection. Copyright protection is when you create an original work, as soon as you have recorded the work in a material form you should place a copyright notice on it which is the word *Copyright* and or the copyright symbol ©, the date of creation and your name as the author of the work. This will give the public notice of your *Copyright* in the work.

You should keep a record of your Copyright work by also mailing a copy of your creation to yourself by registered mail at your local post office. When it returns to your address, do not open it. Secure the sealed envelope in a safe place. This is an internationally accepted procedure used in countries, that are members of the Berne Convention for the Protection of Literary and Artistic Works. If necessary this sealed envelope may be used to prove ownership of © in a court of law where the envelope will be opened by the Court.

As an alternative to keeping your own records you may wish to deposit them locally at;

The Intellectual Property Service Centre,  
7 Stanton Terrace, Kingston 5  
Tel: 929- 3215 Fax: 929– 5210

Voluntary registration is possible in other countries such as the USA at the

Registrar of Copyrights, The Library of Congress  
Dept. 17 Washington D.C. 20540. USA  
Tel: (202) 287 8700/ (202) 287 9100

And Canada at: The Canadian Intellectual Property Office

Place du Portage 1, 50 Victoria Street Hull  
Quebec, K1A 0C9, CANADA

## How to Enforce *Copyright*

If your Copyright has been infringed, you may refer the matter to mediation or arbitration at the Dispute Resolution Foundation at the Peace Centre, 5 Camp Road, Kingston 4 Tel. 906-2456, you may also seek legal recourse by filing a law suit in the civil court. If your work has been pirated i.e. where copies are reproduced without permission on a commercial scale, the matter should be reported to the Organized Crime Investigation Bureau of the Police. Located at the UDC Building, Shop # 68 Kingston. Tel. (876) 923-5626 or (876) 922-3771

## International Copyright Treaties to which Jamaica is Signatory

Berne Convention for Protection of Literary & Artistic Works

Rome Convention for the Protection of Performers, Producers of Phonogram and Broadcasting Organizations

Geneva Convention for the Protection of Phonograms against Unauthorized

Duplication of their Phonograms

WIPO Copyright Treaty (WCT) and WIPO Performances and Phonograms Treaty (WPPT) (popularly known as the "Internet Treaties")

Visit our web site at

[www.jipo.gov.jm](http://www.jipo.gov.jm)

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# © COPYRIGHT

# PROTECTION



**PAVING THE WAY TO GROWTH AND  
DEVELOPMENT THROUGH THE PRO-  
TECTION OF INTELLECTUAL PROP-**

**Jamaica Intellectual Property Office**

36 Trafalgar Road  
PCJ Building 4th Floor  
Kingston 10

Phone: (876) 754-6360 / (876) 754-6350  
(876) 960-1852 / (876) 960-5588

Fax: (876) 929-1190

## Licensing *Copyright* Works

The Copyright Owners may grant an assignment or license to perform any of the restricted acts in respect of his/her protected work/s. Restricted acts are; copying the work; issuing copies of the work to the public; performing the work in public, or in the case of a sound recording, film, broadcast or cable programme playing or showing the work in public; broadcasting the work or including it in a cable programme services; making an adaptation of the work.

It is recommended that *Copyright* owners become members of recognized collective management societies, to facilitate the licensing of their rights. These societies will act on behalf of their members to negotiate licenses with persons wishing to use the protected works.

Local Societies include:

**The Jamaica Association of Authors, Composers & Publishers (JACAP)**, 5 Windsor Ave., Kgn. 5 Tel: 978 3591 jacap@jamweb.net

**Jamaica Copyright Licensing Agency, (JAMCOPY)**, Building #3 17 Ruthven Road. Kingston. 10 Tel 754 8910 jamcopy@cwjamaica.com

**Jamaica Performers Administration Society (JAPAS)**, 7 Stanton Terrace. Kingston. 5

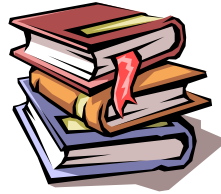
## What is *Copyright*?

*Copyright* is an intellectual property right. It consists of a bundle of different rights that a creator has his/her intellectual creation. *The Copyright* owner has an exclusive right to exploit his/her creative work and has the authority to prevent others from using the work without permission.



## Works Protected by *Copyright*

Under Jamaica's Copyright Act 1993, copyright applies to original literary, dramatic, artistic works, sound recordings, films, broadcasts or cable programme, typographical arrangements of published editions are protectable by *Copyright*.



Literary works include works (other than a dramatic or musical work) which are written spoken or sung, such as a computer programs, written tables and compilations. Musical works refer to works consisting of music.

Artistic works include graphic works such as paintings, drawings, maps, charts, plans, engravings, etchings, lithographs, woodcut or similar works, as well as photographs, sculptors, collages, buildings and models of buildings. Dramatic works include dances and mimes.

## Works Not Protected by *Copyright*

*Copyright* usually does not protect titles by themselves, names, short word combinations, slogans, short phrases, methods, plots or factual information, ideas or concepts.

## Who Can Own *Copyright*?

The author of a created work is the initial owner of the *Copyright* in that work.

All Jamaican nationals, citizens and habitual residents and corporate bodies established under Jamaican Law can qualify as owners under the Copyright Act.

Nationals, citizens and habitual residents and corporate bodies established under the laws of other specified countries (listed in Regulations under the Act) including United States, Canada, countries of the European Union, Asia and Africa, are also protected under Jamaican Law.

## Are Jamaican *Copyright* Owners Protected Abroad?

Jamaicans qualify for international *Copyright* protection in at least 158 countries including those mentioned above, who are all members of the international Treaty for *Copyright* protection.

## How Long Does *Copyright* Last?

Copyright in literary, dramatic, musical and artistic works lasts for the lifetime of the author and a period of fifty (50) years after the death of the author.

In cable programmes and broadcasts *Copyright* lasts for fifty (50) years from the end of the year in which the programme was included in a cable programme service, or the year in which the broadcast was made.

*Copyright* in a typographical arrangement of a published edition lasts for 25 years from the year in which the edition is first published

