



**STATE UNIVERSITY FOR LIBRARY STUDIES
AND INFORMATION TECHNOLOGIES**

***INTELLECTUAL PROPERTY OF
INFORMATION RESOURCES
ON THE INTERNET.***

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*EU-ERASMUS Intensive Programme
IP Library, Information and Cultural Management – Academic Summer School (IP LibCMass)
2-15 September 2012, Zagreb, Croatia*



Lifelong Learning Programme

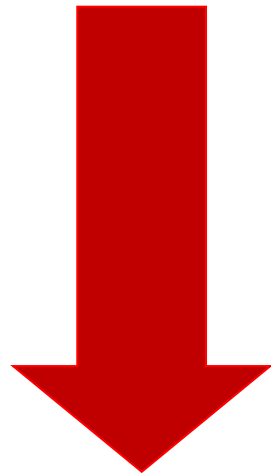


Presentation structure

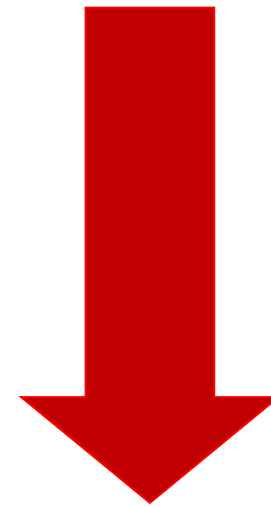
- 1. Short introduction of intellectual property.**
- 2. Individual contracts.**
- 3. Collective management of rights.**
- 4. Creative commons licenses for free access.**

1. SHORT INTRODUCTION **OF INTELLECTUAL PROPERTY**

INTELLECTUAL PROPERTY



**LITERARY AND
ARTISIC PROPERTY**



INDUSTRIAL PROPERTY

MAIN TYPES of IP

LITERARY & ARTISTIC PROPERTY

COPYRIGHT

Works of science,
literary & art

Software

Databases

RELATED RIGHTS

Performances
of performing artists

Phonograms

Broadcasting
rights

INDUSTRIAL PROPERTY

Inventions

Utility
Models

Industrial
Design

Trademarks

Geographical
Indications

DIFFERENCES BETWEEN COPYRIGHT AND INDUSTRIAL PROPERTY

THE FIRST DIFFERENCE

Industrial Property
from
Literary & Artistic Property



PROTECTION

- ❑ Literary & Artistic Property –
PROTECTS THE FORM OF EXPRESSION OF IDEAS
- ❑ Industrial Property –
PROTECTS THE IDEAS

DIFFERENCES BETWEEN COPYRIGHT AND INDUSTRIAL PROPERTY

THE SECOND DIFFERENCE

**Industrial Property
from
Literary & Artistic Property**



**DURATION
OF PROTECTION**

- ❑ **Literary & Artistic Property –**
 - 50 years + authors's life according The Bern Convention**
 - 70 years + authors's life according The Bulgarian Copyright Law**

- ❑ **Industrial Property –**
 - It's between 5 and 20 years depending from the kind of the object**

DIFFERENCES BETWEEN COPYRIGHT AND INDUSTRIAL PROPERTY


THE THIRD DIFFERENCE

**Industrial Property
from
Literary & Artistic Property**



**STATE
REGISTRATION**

- Literary & Artistic Property –
DOESN'T NEED STATE REGISTRATION**
- Industrial Property –
ONLY STATE REGISTRATION**



How many possible ways of acquiring the right to use works in Internet do we have?

- Individual contract;
- Organizations for Collective management of rights;
- Creative Commons Licenses for free access.



2. Individual (author's) contract – definition

- ❑ Contracts in which **one side is the copyright holder** and **the other is the user**, and the transfer is subject to some degree and under certain conditions of the right of use a work are called individual or author's contracts;

Chain, delivering intellectual products to Internet users



If the **authors** decide to manage their rights individually, then they connect to an **Internet content provider** and **contract** with him.



In order to determine this contract by copyright, it must contain the following specific features:

- ❑ **subject of the contract**, which may be only a transfer of copyright power / copyright powers relating to various sources of information which are objects of intellectual property;
- ❑ **duration of the contract** - the duration of such type of contracts can not exceed 10 years.

3. Collective management of rights

Organization for collective management of rights is the organization which:

- has received from its members the right to negotiate about the use of their works with users;
- collects and distributes among its members received remuneration under these contracts.
(Art.40, par. 1 by Bulgarian copyright law)



Collective management of copyright – main principles

- Creation of a specialized organization;
- Transfer of copyright from the author to the organization;
- users of such rights received by the organization permission to use all guarded by the company objects;
- users pay for the objects guarded by this organization;
- organization distributes these allowances paid to the grantor and arrange payment.

4. Creative commons licenses

- Creative commons(CC) is a non-profit organization ;
- Founded in 2001 in the USA;
- Founder of the organization - Lawrence Lessig (professor at Stanford University);
- First CC licenses date from 2002.



WHAT DO CREATIVE COMMONS LICENSES GIVE US?

- Free and easy to use legal instruments;
- right of each (individual artist, a large company or institution) alone to determine their copyrights;
- simple standardized way to pre-clarification of copyright on creative works.

WHY “SOME RIGHTS RESERVED”?

COPYRIGHT



"all rights reserved"

CREATIVE COMMONS



"some rights reserved".



CREATIVE COMMONS ADDOPTION IN DIGITS:

- ❑ Europe - **25,680,137**
- ❑ Asia - **12,167,583**
- ❑ North America - **10,321,872**
- ❑ Latin America - **4,304,624**
- ❑ Oceania - **566,036**
- ❑ Sub-Saharan Africa - **158,681**
- ❑ Middle East and North Africa - **69,211**
- ❑ TOTAL – **53,268,144** ≈ **53** million works under CC licenses



The phenomenon of CC

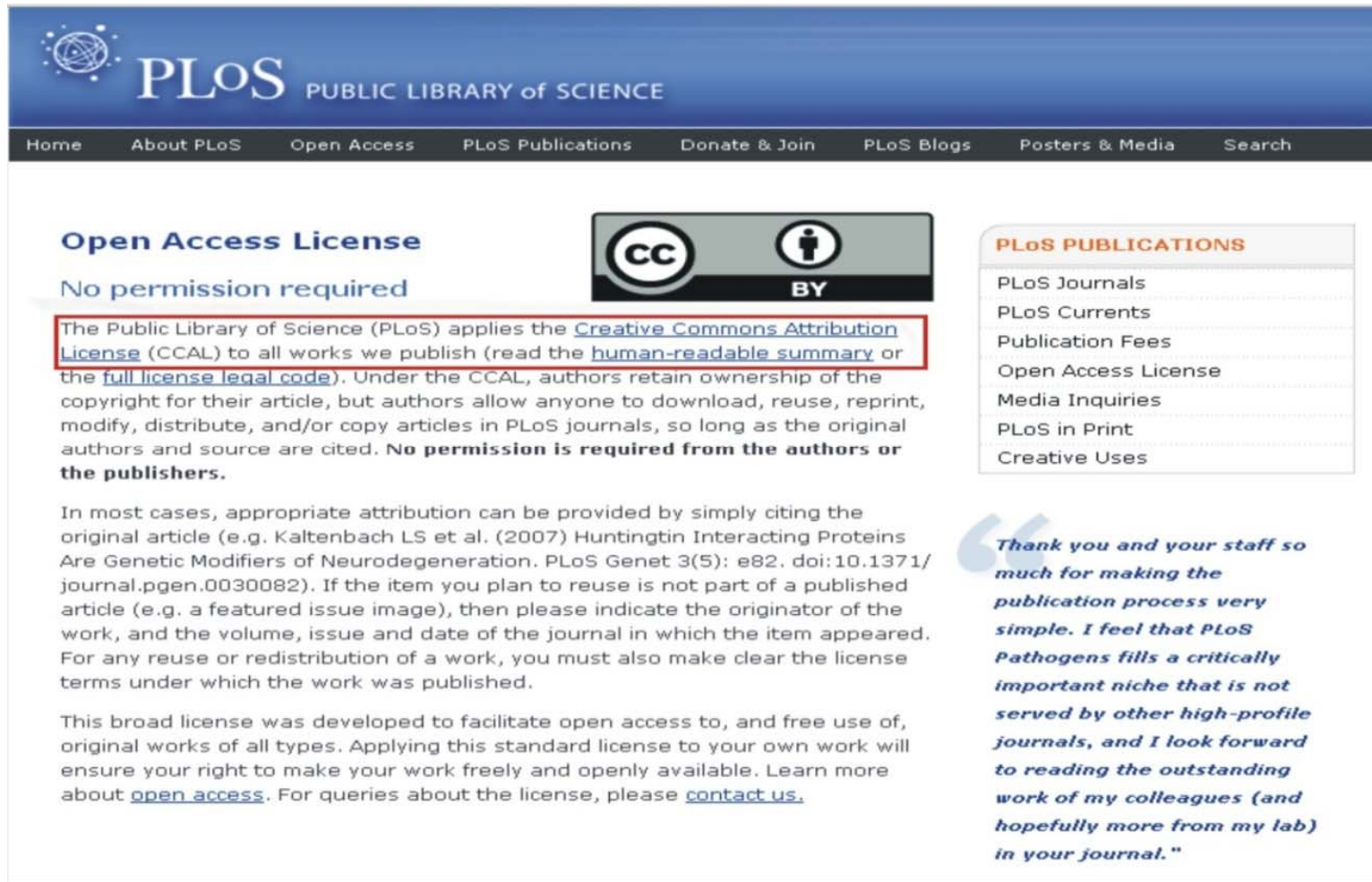
- ❑ they have already become a global phenomenon;
- ❑ they are translated into the languages of dozens of countries, including Bulgarian and Croatian;
- ❑ the translation is not mechanical, it contracts to adapt domestic law of the country;



Institutions and public records publishing their scientific journals under the CC contracts:

- Harvard University in the USA;
- The archive "Bio Med Central";
- Public Library of Science (Public library of science - PloS);
- site of the Public Prosecution of the Republic of Bulgaria,;
- the site of the President of the Republic of Bulgaria and etc.

Example of publication according contract CC - Public Library of Science



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4				Attribution - Noncommercial
5				Attribution - Noncommercial - Share Alike
6				Attribution - Noncommercial - No Derivative Works

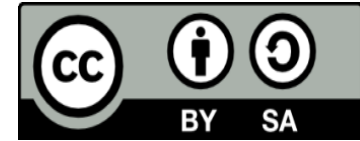
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CONCLUSION

These type of licenses are one of the approaches that are able to meet the challenges of the rapid development of information technologies and able to respond adequately to the needs of the modern information society.



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***THANK YOU
FOR YOUR ATTENTION!***

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