

Electronic Infringement of Copyright: A Real Challenge Ahead

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I. INTRODUCTION

The scientific and technological development has brought all the nations very close to each other and world have become very small one. The territorial boundaries no more remain the barriers for the expansion and dissemination of any concept. The concept of Copyright is not an exception. Hindu philosophy has a Vedic origin. Form the Vedic era the concept of 'Vasudhaib Kutumbkam' i.e., the whole world is a big family also preaches us the tenets of co-existence, brotherhood and devotion for the universal peace, unity and integrity. It is important to remember the purpose of copyright which is public welfare, enlightenment and „the encouragement of learning Justice Hugh Laddie observed, „The whole human development is derivative. We stand on the shoulders of the scientists, artists and craftsmen who preceded us. We borrow and develop what they have done, not necessarily as parasites but simply as the next generation. It is at the heart of what simply we know as progress.“² The provisions for infringement and piracy may concentrate the copyright materials with the powerful corporation, particularly the Hollywood studios and this may not only lock way various copyrighted materials from public domain whose access would be unaffordable for the population of a country whose 70% still live in rural areas but may also seriously erode the common cultural products through a systematic homogenization thereby also affecting the most prolific, colourful and culturally diverse industry, Bollywood³.

II. ELECTRONIC COPYRIGHT

Copyright Act 1957 provides exclusive right to the author which includes publication rights also. When an author or creator or publisher publishes his creation in electronic modes or put its creation on electronic medium in that case also the author's copyright remain with them which is known as electronic copyright of the author. When other users of internet manage to copy the creations of the author etc. without paying a penny even without permission by use of their electronic devices, it is called electronic infringement, of copyright. The issue of copyrights has until recently been in the foray for both its use and abuse since the dawn of the renaissance period, a time in history when the world marveled at the birth of new inventions philosophies in science, arts and industry; inventions that redefined the limits of our capabilities at achieving hitherto what had been

considered unachievable. The most remarkable feature worthy of appreciation would be the analysis of the development and evolution of copyright law in parlance with the development of legal theory. Home taping by video audio recording has posed further challenges to the rights of copyright owner of cinematographic films and sound recordings⁴. By using audio and video recording devices any number of copies of the films or sound recording can be made available at a very low cost which may result into a substantial loss to the copyright owners.⁵ Further home taping reproduction of a broadcast may also be made by recording of the air from the satellite broadcast, thereby infringing the rights of broadcasting organisations and performers.

III. ELECTRONIC INFRINGEMENT

Right to reproduction is the core of all economic rights. It occupies the central importance amongst the bundle of copyrights. To establish the case of infringement, the copyright owner must show only that he or she (1) owns a valid copyright, and (2) the defendant exercise one or more of the owner's exclusive rights to reproduce, to publicly distribute, to publicly perform, to publicly display or to adapt the copyrighted work.⁶ Section 51 of the Indian Copyright Act, 1957 discussed in detailed that when Copyright in a work shall be deemed to be infringed, In particular clause(b) states that Copyright shall be deemed to be infringed when any person:

- (i) makes for sale or hire, or sells or lets for hire or by way of trade displays or offers for sale or hire, or
- (ii) distributes either for the purpose of trade or to such an extent as to affect prejudicially the owner of the copyright, or
- (iii) by way of trade exhibits in public, or
- (iv) imports (except for the private and domestic use of the importer) into India, any infringing copies of the work.

Opinion of Justice S. Murtaza Fazal Ali quoting from American Jurisprudence in the case of *R.G. Anand Vs Delux Films*⁷ can be referred here: "Infringement of a copyright is a trespass on a private domain owned and occupied by the owner of the copyright, and, therefore, protected by law, and infringement of copyright, or piracy, which is a synonymous term in this connection, consists in the doing by any person, without the consent of the owner of the copyright, of anything the sole right to do which is conferred by the statute on the owner of the copyright" Section 2(m) defines „infringing copy“ to mean:

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(i) In relation to a literary, dramatic, musical or artistic work, a reproduction thereof, otherwise than in the form of a cinematographic film;

(ii) In relation to a cinematographic film, a copy of the film made on any medium by any means;

(iii) In relation to a sound recording, any other recording embodying the same sound recording, made by any means;

(iv) In relation to a programme or performance in which such a broadcast reproduction right or a performer's right subsists under the provisions of this Act, the sound recording or a cinematographic film of such programme or performance, if such reproduction, copy of sound recording is made or imported in contravention of the provisions of this Act. The infringer invades a statutorily defined province guaranteed to the copyright holder alone. But he does not assume physical control over the copyright; nor does he wholly deprive its owner from its use.⁸ Copyright law confers upon the owner of the copyrighted work a bundle of exclusive rights in respect of the reproduction of the work and other acts. The owner of the copyright alone has a sole right in relation to such work without his permission⁹. If anybody else does any of the acts without the authority of the owner of the copyright, the owner of the copyright can maintain an action for infringement of his copyright against the wrongdoer. Copyright law grants the owner exclusive right to authorize reproduction of the copyrighted works, preparation of derivative works, distribution etc. However application of this concept on the internet cannot be strictly applied to copyright. Duplication of the information is an essential step in the transmission of information on the internet and even plain browsing information at a computer terminal (which is equivalent to reading a book or a magazine at book store) may result in the creation of an unauthorized copy since a temporary copy of the work is created in the RAM of the user's computer for the purpose of access. The law on the subject evolving and the general view is that more accessing a web page would not be an infringement as the copy created is temporary or ephemeral. Another common issue amongst web site owners is to create links to other sites within the design of their own web pages. Would such linking be considered a copyright violation as these links give access to other copyrighted sites? Although strictly speaking it may be a violation of copyright. But there is an implied doctrine of public access for linking to other web pages. The Internet was created on the basis of being able to attach hypertext links to any other location and it is assumed that once a page is put on the net, implied consent is given, unless specifically prohibited by the web site owner. The question of infringement of copyright comes into picture when the people intend to take under advantage and causes economic loss to the people who by virtue of hard labour have earned those rights. What is apparent is that the technological change has made reproduction of copyright material easy and cheap, and also at the same time it has made piracy of copyright work simple and difficult to control.¹⁰ They have made copyright infringement international in character. When a work is transmitted from one access point to another or made available for the public

to access, numerous parties are involved in the transmission. These include entities that provide internet access or online services. When such service providers participate in transmitting or making available materials provided by another, which infringe copyright or alter rights, they are liable for the act of infringement.

IV. NATURE OF ELECTRONIC INFRINGEMENT

With the emergence of the internet and increasing use of the worldwide web possibilities of infringement of copyright have become mind boggling, free and easy access on the web together with possibilities of downloading has created new issues in the area of copyright infringement. Taking content from one site, modifying it or just reproducing it on another site has been made possible by digital technology and this has posed new challenges for the traditional interpretation of individual rights and protection. Any person with a PC (Personal Computers) and a modem can become a publisher. Downloading, uploading, saving, transforming or creating a derivative work is just a mouse click away. A web page is not much different than a book a magazine or a multimedia CD-Rom and will be eligible for copyright protection, as it contains text graphics and even audio and videos. Following transactions are some of the areas which certainly caused the infringement of copyright in electronic forms: (a) Transmission of information from one computer system or network to another involving temporary storage (RAM) of the information; (b) An unauthorised storage of such information is a violation of the copyright owner's exclusive right to make copies, i.e. to reproduce the copyrighted work; (c) A violation of the copyright owner's exclusive distribution right; (d) An appearance of a copyrighted image in a web browser infringing the copyright owner's public display right; (e) An infringement of copyright owner's exclusive right to make adaptation, (re-arrangement or alteration).

V. ELECTRONIC ISSUES

The reference to on-line copyright issues can be found in the following two major enactments: (1) The Copyright Act, 1957, and (2) The Information Technology Act, 2000 (with amendment 2008).

1) *Electronic Issues And Copyright Act*

The following provisions of the Copyright Act, 1957 can safely be relied upon for meeting the challenges of advanced technology etc:

- a) The inclusive definition of computer is very wide which includes any electronic or similar device having information processing capabilities.¹¹ Thus, a device storing or containing a copyrighted material cannot be manipulated in such a manner as to violate the rights of a copyright holder.
- b) The term computer programme has been defined to mean a set of instructions expressed in words, codes, schemes or in any other form, including a machine readable medium, capable of causing a computer to perform a particular task or achieve a

particular result.¹² It must be noted that Section 13(a) read with Section 2(o) confers a copyright in computer programme and its infringement will attract stringent penal and civil sanctions.

- c) The inclusive definition of literary work includes computer programmes, tables and compilations including computer databases.¹³ Thus, the legislature has taken adequate care and provided sufficient protection for computer related copyrights.
- d) The copyrighted material can be transferred or communicated to the public easily and secretly through electronic means. To take care of such a situation, the Copyright Act has provided the circumstances which amount to communication to the public. Thus, making any work available for being seen or heard or otherwise enjoyed by the public directly or by any means of display or diffusion other than by issuing copies of such work regardless of whether any member of the public actually sees, hears or otherwise enjoys the work so made available, may violate the copyright.¹⁴ The communication through satellite or cable or any other means of simultaneous communication to more than one household or place of residence including residential rooms of any hotel or hostel shall be deemed to be communication to the public.¹⁵
- e) The copyright in a work is infringed if it is copied or published without its owners consent. The Copyright Act provides that a work is published if a person makes available a work to the public by issue of copies or by communicating the work to the public.¹⁶ Thus, the ISPs, BBS providers, etc. may be held liable for copyright violation if the facts make out a case for the same.
- f) The copyright in a work shall be deemed to be infringed when a person, without a licence granted by the owner of the copyright or the Registrar of Copyrights under this Act or in contravention of the conditions of a licence so granted or of any condition imposed by a competent authority under this Act: (i) Does anything, the exclusive right to do which is by this Act conferred upon the owner of the copyright, or Permits for profit any place to be used for communication of the work to the public where such communication constitutes an infringement of the copyright in the work, unless he was not aware and had no reasonable ground for believing that such communication to the public would be an infringement of copyright.
- g) The Copyright Act specifically exempts certain acts from the purview of copyright infringement. Thus, the making of copies or adaptation of a computer programme by the lawful possessor of a copy of such computer programme from such copy in order to utilize the computer programme for the purpose for which it was supplied or to make back-

up copies purely as a temporary protection against loss, destruction, or damage only in order to utilize the computer programme for the purpose for which it was supplied, would not be copyright infringement.¹⁸ Similarly, doing of any act necessary to obtain information essential for operating inter-operability of an independently created computer programme with other programme by a lawful possessor of a computer programme is not a copyright violation if such information is not otherwise readily available.¹⁹ Further, there will not be any copyright violation in the observation, study or test of functioning of the computer programme in order to determine the ideas and principles, which underline any elements of the programme while performing such acts necessary for the functions for which the computer programme was supplied.²⁰ The Copyright Act also makes it clear that the making of copies or adaptation of the computer programme from a personally legally obtained copy for non-commercial personal use will not amount to copyright violation.²¹

- h) If a person knowingly makes use on a computer of an infringing copy of a computer programme, he shall be held liable for punishment of imprisonment for a term which shall not be less than seven days but which may extend to three years and with fine which shall not be less than fifty thousand rupees but which may extend to two lakh rupees. However, if the computer programme has not been used for gain or in the course of trade or business, the court may, for adequate and special reasons to be mentioned in the judgment, not impose any sentence of imprisonment and may impose only a fine which may extend to fifty thousand rupees.²² It must be noted that copyright can be obtained in a computer programme under the provisions of the Copyright Act, 1957.²³ Hence, a computer programme cannot be copied, circulated, published or used without the permission of the copyright owner. If it is illegally or improperly used, the traditional copyright infringement theories can be safely and legally invoked.

2) *Electronic Issues And Information Technology Act 2000*

The following provisions of the Information Technology Act, 2000 are relevant to understand the relationship between copyright protection and information technology:

- (a) Section 1(2) read with Section 75 of the Act provides for extra-territorial application of the provisions of the Act.²⁴ Thus, if a person (including a foreign national) violates the copyright of a person by means of computer, computer system or computer network located in India, he would be liable under the provisions of the Act.
- (b) If any person without permission of the owner or any other person who is in charge of a computer,

computer system or computer network accesses or secures access to such computer, computer system or computer network²⁵ or downloads, copies or extracts any data, computer data base or information from such computer, computer system or computer network including information or data held or stored in any removable storage medium,²⁶ he shall be liable to pay damages by way of compensation not exceeding one crore rupees to the person so affected. Thus, a person violating the copyright of another by downloading or copying the same will have to pay exemplary damages up to the tune of rupees one crore which is deterrent enough to prevent copyright violation.

- (b) While adjudging the quantum of compensation, the adjudicating officer shall have to consider the following factors:
- (i) The amount of gain or unfair advantage, wherever quantifiable, made as the result of the default;
 - (ii) The amount of loss caused to any person as a result of the default;
 - (iii) The repetitive nature of the default.²⁷ Thus, if the copyright is violated intentionally and for earning profit, the quantum of damages will be more as compared to innocent infringement.
- (c) A network service provider (ISP) will not be liable under this Act, rules or regulations made there under for any third party information or data made available by him if he proves that the offence or contravention was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence or contravention.²⁸ The network service provider under section 79 means an intermediary and third party information means any information dealt with by a network service provider in his capacity as an intermediary.

VI. INTERNET AND ESTABLISHED BODY RESPONSIBLE FOR ELECTRONIC INFRINGEMENT

The advent of information technology has made it difficult to apply the traditional theories to various cyberspace entities and organizations. These cyberspace players can be grouped under the following headings:

- (1) Internet Service Providers (ISPs),
- (2) Bulletin Board Services Operators (BBSO),
- (3) Commercial Web Page owner/operators, and
- (4) Private users.

1) *Internet Service Providers*

Internet Service Providers most often provides Internet access and he may be held liable for copyright infringement. But in India neither under Copyright Act, 1957 nor under Information Technology Act, 2000, ISP has made unconditional liable instead a flexible conditional liability

has been imposed. As per I.T. Act ISP shall be made liable only if it has previous knowledge about the materials and it has not taken appropriate steps to protect the interest of the authors/owners³⁰. The provision for liability has been clearly provided under US copyright law. In *Religious Technology Center Vs Netcom On-Line Communication Services, Inc.*³¹ a former minister uploaded some of the copyrighted work of the Church of Scientology to the Internet. He first transferred the information to a BBS computer, where it was temporarily stored before being copied onto Netcom's computer and other Usenet computers. Once the information was on Netcom's computer, it was available to Netcom's subscribers and Usenet neighbors for downloading for up to eleven days. The plaintiffs informed Netcom about the infringing activity; nonetheless, Netcom refused to deny the subscriber's access because it was not possible to prescreen the subscriber's uploads, and kicking the subscriber off the Internet meant kicking off the rest of the BBS operator's subscribers. Thus, plaintiffs sought a remedy against Netcom for infringement under all three theories: direct, contributory, and vicarious. The Court first analyzed whether Netcom directly infringed plaintiff's copyright. Since Netcom did not violate plaintiff's exclusive copying, distribution, or display rights, Netcom was held not liable for direct infringement. The court then analyzed the third party liability theories of contributory and vicarious infringement. The court held that Netcom would be liable for contributory infringement if plaintiffs proved that Netcom had knowledge of the infringing activity. The court then analyzed whether Netcom was vicariously liable. Here, once again the court found that a genuine issue of material fact supporting Netcom's right and ability to control the uploader's acts existed. The court found that Netcom did not receive direct financial benefit from the infringement. Thus, the court found that the Netcom was not liable for direct infringement, could be liable for contributory infringement if plaintiffs proved the knowledge if infringement activity.

2) *Bulletin Board Services*

The BBSs are more vulnerable to copyright infringement litigations than the ISPs because they can operate independent of the World Wide Web. The first case in this category was *Playboy Enterprises, Inc Vs Frena*.³² In this case, the defendant operated a subscription that allowed the subscribers to view, upload, and download materials. The court held that Frena had violated Playboy's exclusive distribution right and their exclusive display right. Because Frena supplied a product containing unauthorized copies of copyrighted work, he has violated the distribution right. Moreover, because Frena publicly displayed Playboy's copyrighted photographs to subscribers, he violated the display right. The court concluded that Frena was liable for direct infringement, though Frena himself never placed infringing material on the BBS and despite his arguments that he was unaware of the infringement. The court relied upon the strict liability theory and held that neither intent nor knowledge is an essential element of infringement. In

Sega Vs Maphia³³ the BBS was providing services to numerous subscribers who upload and downloaded files to and from the BBS. The evidence clearly showed that the BBS operator knew that subscribers were uploading unauthorized copies of Sega's video games to and downloaded from his BBS. The court held that since the BBS operators only knew and encouraged uploading and downloading, but did not upload or download any files himself, he was not liable for direct infringement. The court, however, found the BBS operator contributory liable. Regarding the knowledge element, the BBS operator admitted that he had knowledge of the uploading and downloading activity. The court rejected the BBS operator's asserted fair use defense since their activities were clearly commercial in nature.

3) *Commercial Web Sites*

The Web Page owners must be cautious of the things they post on their Web Pages so that they do not violate the stringent provisions of the copyright laws. A Web Page owner cannot successfully plead and prove that they were unaware about the copyrighted material because copyright notices are prominently given in authorized software. They also have the controlling power over the content of their pages. The owners are usually the parties that actually perform upload to their pages. A computer user who uploads copyrighted material to the Internet is liable for direct infringement. This liability could be avoided only if he can prove the fair use doctrine. Thus, an Internet user should not post copyrighted materials on the Internet in a casual manner also because it can be also lead to the violation of copyrighted act.

VII. AREAS OF ELECTRONIC INFRINGEMENT

1) *Software Piracy*

The infringement of copyright in computer software simply means copying and distribution of computer programmes without the copyright holder's permission. The software industry, generally, consists of creation and distribution of computer programmes. Creation of computer programme is similar to writing a novel or other literary works and it requires intellectual skill and training in software programming. Though a software can be written by individual programmer, most of the major software's are the outcome of group efforts, where medium to large sized teams spend months or even years to write a complete programme. Distribution of computer programmes in most of the developed countries occurs through a two-tiered system of wholesalers and dealers, similar to that of many other industries. The software publishers make a substantial amount of their shipments to a small number of distributors in any given country, who maintain well-stocked warehouses and can respond quickly to orders from hundreds or thousands of individual retail dealers or resellers. The dealers market and provide the software products directly to end-users of computers. The end users can be individuals, commercial enterprises, educational institutions and government establishments. Sometimes,

software publishers also deal directly with a small number of the larger dealers or resellers in an individual country. Licensing is a common practice in software industries. The publisher of software generally authorises its end users through the mechanism of the shrink-wrap license contained in the package. Like other copyright based industries, the software industry also faces several forms of piracy. In fact, infringement of copyright in software is more than in others because it is relatively easy to copy software in computer especially in PCs and for all practical purposes the pirated version looks and performs in an identical manner as the original. The five principal types of software piracy involve (1) counterfeiters (2) resellers (3) mail order houses (4) bulletin boards and (5) end-user piracy. Counterfeiters are relatively new phenomenon in the software industry and most flagrant software counterfeiters produce disks, documentation and packaging that look very similar to those of the software publisher. Reseller infringement of copyright occurs in the software distribution channel, when distributors or dealers either make copies of software onto floppy disks, or the internal storage device or the „hard disk“ of computers that they are selling, without authorization from the software publisher. Identifying pirated software is not an easy task. This is primarily for two reasons. First, as mentioned earlier there is hardly any difference between original software and pirated software, once it is copied onto hardware. Second, detection of infringement of copyright requires access to software or hardware or both, which may not be feasible in many cases. In case of installed software it is more difficult to identify a pirated copy. Once a computer is searched, the programmes copied onto it can be found and identified. Then users can be asked to produce the proof of original possession (e.g. original packages, documentation, purchase record, license cards etc.) of such programmes. If users fail to do so, there is a prima facie case of infringement. In some cases even test purchases can be made to secure evidence of infringement of copyright. In India software piracy is costing the IT industry quite dear. Total losses due to software piracy in India stood at a staggering figure of about Rs. 500 crores (US \$ 151.3 million) showing about 60 per cent piracy rate in India.

2) *Computer Software And Internet Piracy*

Software is defined as a set of instructions which when incorporated in a machine readable form or in capable of causing a computer to perform a particular task. To put it simply, it is a series of commands which can be understood by the machine. There are three essential types of software which help to function the computer, micro code it is a programme which controls the details of execution, the operating system software which control the sources of a computer and manages routine tasks and is a necessary requirement for a computer to function and the third is a application software which is designed to perform a particular task. Piracy occurs when copyrighted software is made available to users to download without the express permission of the copyright owner. Such illegal software is

offered over online sources such as online advertisements newsgroups bulletin board service and auction sites. Piracy hampers creativity, hinders the development of new software and local software industry and ultimately effects e-commerce. A piracy harms consumers and has negative impact on local and national economy. Consumers run the risk of viruses and having corrupted and defective programs.

3) *Infringement In Playing Television Channel*

The concept of „Communication to Public“ is central to Copyright and a subject of intellectual property protection. The question as to what constitutes communication to public depends on the particular act of communication. The exhibition of any copyrighted work in a closed circle of family or friends or personal viewing is outside the purview of infringement. However, when such an exhibition is to an audience who avail the facility in hotels, it amounts to communication to public, which if done without licence or permission of copyright holder may invite infringement proceedings. In *Performing Right Society v. Hammonds Bradford Brewery Co. Ltd.*³⁵, where it was held that the hotel which through its wireless set makes available to its guests acoustic presentations was in fact communicating it publicly. He also cited the judgment of *Garware Plastics and Polyester Ltd. v. Telelink*³⁶, where the Court held that broadcasting of content through cable channels to various households etc. amounts to public performance.

4) *Infringement And Fair Use*

Most of the infringement of copyright has been made in the name of „fair use“. Recognizing a fair use defence under these condition gives copyrights and other user free access to whatever works happen to be created by the creator. Thus, in presence of transactional barriers in bargaining, the fair use doctrine serves the important function of facilitating diffusion without significantly chilling creativity. It has been now settled that fair use rule has evolved as an equitable response to market failure as a way to ensure that socially desirable uses will not be blocked. But in reality one of the sole causes of failure of the measures for the protection of copyright infringement is the defence of „fair use“ because there is no guideline to determine the term „fair use“ in Indian copyright laws. Sometimes socially responsible citizens are also not convinced as whether an act is the fair use or not? Actually the purpose of incorporation of „fair use“ was very clear. Once Justice Govdon, Professor of law, Boston University, School of Law, argued that if a market does not develop for a creative work or use because high transaction costs impede bargaining, then prohibiting copying makes little sense from economic uses, without providing any monetary return to creators.

VIII. CONCLUSION

The globalization and value addition to the copyright related industries have converted the domestic copyright related property into global property and electronic development on the other hand made the process of infringement like nothing. Any person from any part of the globe can get the

access to the electronic resource of any place by click on mouse only. The Copyright Act 1957 is, to some extent able to protect the interest of the author from the traditional i.e. manual modes of infringement of copyright only. It is measurably failed to tackle the problem of electronic infringement of copyright in this modern electronic age. The present copyright law in India requires a thorough examination and alteration to cope with the technological advancement. The copyright law is a form of societal governance. The Copyright Law must be examined in the context of social development.³⁷ Dr. Sundara Rajan has aptly writes that Copyright reform in India suggests a fundamental rethinking of India's approach to the public interest in particular, the right of the public to use works that are protected by copyright. India has long recognised that excessively restrictive copyright laws may impede public education, particularly where knowledge from advance countries is needed for modernization.³⁸ The report of the International Intellectual Property Alliance (IIPA) on India documented that India suffered trade losses worth 496.3 million US dollars due to copyright piracy³⁹. Thus, it require a serious thought from the person concerned so that our copyright industry can also remarkable contribute to the revenue of the nation at the one hand and the creator could get the appropriate value for his creation on the other. Indian Government has taken a remarkable step ahead in right direction by enforcing the Information Technology Amendment Act 2008, on 27th October 2009, but which does not mention a single word about copyright except under Section 81. While the copyright is one of the most complicated areas of cyber law, „Jurisdiction, cybersquatting, trademark, patent, domain name, media convergence, taxation, payment issues are also not covered by the said Amendment Act. Therefore we should prepare our legal institutions for the production of information superhighway gateway. We have to go a long way to realise the true potential of information technology for protection of copyright from its electronic modes of infringement. A lot depends upon the policy of the government to built necessary infrastructure for the protection of a huge IP market by way of proper protective mechanism. The revision of Copyright Act should be made considering the following remarkable suggestions which shall be helpful to make the law at par with the advancement of the age.

- Improvisation of establishment of Internet Use Education Programme
- Piracy should be made Strict Economic Crime
- Customs Departments should be Empowered
- Frequency of Raids at the doubtful place should be Increased
- Copyright Law should be made more Dynamic
- Need to redefine the term Fair Use
- Intensive Training for Judges Etc
- Creation of National Anti-Piracy Task Force
- Introduction of Preventive Technical Measures
- Improvisation of Establishment of Internet Use Education Programme

At the end there would always be some group who circumvent the system which will certainly become a temporarily hurdle for which we shall have to create a socially motivated strong civil society. The strong civil society can help in the process of enforcement of copyright law in this civil society and hold back the cases of infringement of copyright to enrich the Indian revenues by contributing to the GDP of India like developed countries

i.e. United Kingdom, USA etc.

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