Copyright and Digital Rights Management

By

Badan Barman

Department of Library and Information Science

Gauhati University, Guwahati-781014, Assam (India)

Mobile: 9864205166. Email: info@badanbarman.in

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Introduction

- Copyrighted Material
- Open Access
- Creative Commons

Copyright

Copyright is a right given by the law to the creators of literary, dramatic, musical and artistic works and producers of cinematograph films and sound recordings. In fact, it is a bundle of rights including, inter alia, rights of reproduction, communication to the public, adaptation and translation of the work.

Indian Copyright Act, 1957

The Copyright Act, 1957 governs the laws & applicable rules related to the subject of copyrights in India and it became applicable from 21 January 1958.

The law has been amended six times since 1957.

The most recent amendment was in the year 2012, through the Copyright (Amendment) Act 2012.

How to Register under Indian Copyright Act, 1957

The author or publisher of, or the owner of or other person interested in the copyright in, any work may make an application in the prescribed form accompanied by the prescribed fee to the Registrar of Copyrights for entering particulars of the work in the Register of Copyrights.

On receipt of an application in respect of any work under sub-section (1), the Registrar of Copyrights may, after holding such inquiry as he may deem fit, enter the particulars of the work in the Register of Copyrights.

Coverage of Indian Copyright Act, 1957

Copyright Act 1957 covers Indian work means a literary, dramatic or musical work the author of which is a citizen of India or which is first published in India.

Copyright act includes Artistic work, Musical work, Sound recording, Cinematograph film and Government work.

In case of Literary, dramatic, musical and artistic works the coverage is the lifetime of the author + sixty years from the beginning of the calendar year following the year in which the author dies.

In case of Anonymous and pseudonymous works, Cinematograph films, Sound records, Government work, Public undertakings, International Agencies, Photographs the duration is until sixty years from the beginning of the calendar years following the year in which the work is first published.

Fair Dealing Provision of Indian Copyright Act, 1957

What constitutes “fair use” is debatable.

Under fair dealing for the purpose of research or private study, for criticism or review, for reporting current events, in connection with judicial proceeding, performance if it is given to a non-paying audience are allowed.

The fair use is depend on the following points-

a) Purpose and Character of Use: Is it for commercial use or for non-profit educational purposes?

b) Nature of the Copyrighted Work: The fair use principle is generally more indulgent for fact-based works than it is for “fanciful” works, and also is broader for published works than it is for unpublished works.

c) Amount and Substantiality: We have to see the amount which has been taken out from the copyrighted work.

d) Effect of the Use: Effect of use of copyrighted work upon the potential market would be the most important parameter to figure out, whether any specific use of copyrighted work is fair or not.

Library Provisions of Indian Copyright Act, 1957

Section 52 in the Copyright Act, 1957 says that certain acts not to be infringement of copyright.

The making of not more than three copies of a book (including a pamphlet, sheet of music, map, chart or plan) by or under the direction of the person in charge of a public library for the use of the library if such book is not available for sale in India is not an infringement.

Libraries and archives are permitted to make up to three copies of unpublished copyrighted works for the purposes of preservation, security or for deposit for research use in another library or archive.

Libraries can also make up to three copies of a published work to replace a work in their collection if it is damaged, deteriorated or lost, or the format of which has become obsolete.

Fair Use and Disabled Persons Provision of Indian Copyright Act, 1957

Section 52 which was added by the amendment of 2012 provides that the "adaptation, reproduction and issue of copies or communication to the public of any work in any accessible format" to facilitate persons with disability to access the works is not an infringement of copyright.

Civil Liability Provision of Indian Copyright Act, 1957

Copyright infringement is punishable under section 63 of the Copyright Act.

Any person who knowingly infringes or abets the infringement of the copyright in a work, or any other right conferred by the Act, shall be punishable with imprisonment for a term which shall not be less than six months 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.

Digital Rights Management (DRM)

Digital Rights Management (DRM) is a systematic approach to copyright protection for digital media.

The purpose of DRM is to prevent unauthorized redistribution of digital media and restrict the ways consumers can copy content they have purchased.

DRM is used to control view, play, print, save, copy, transfer files from one media to another one, password protection of the file and other such operations on digital content (like electronic texts, music, and video).

DRM technology creates intentional and artificial information usage barriers.

Uses of Digital Rights Management (DRM)

Some content providers claim that DRM is necessary to fight copyright infringement and that it can help the copyright holder maintain artistic control or ensure continued revenue streams. Proponents argue that digital locks should be considered necessary to prevent intellectual property from being copied freely, just as physical locks are needed to prevent personal property from being stolen.

Those opposed to DRM contend there is no evidence that DRM helps prevent copyright infringement, arguing instead that it serves only to inconvenience legitimate customers. Furthermore, works can become permanently inaccessible if the DRM scheme changes or if the service is discontinued. Digital locks placed in accordance with DRM policies can also restrict users from exercising their legal rights under copyright law, such as backing up copies of CDs or DVDs, lending materials out through a library, accessing works in the public domain, or using copyrighted materials for research and education.

Again, when standards and formats change, it may be difficult to transfer DRM-restricted content to new media.

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Again, when standards and formats change, it may be difficult to transfer DRM-restricted content to new media.

Activity and Assessment of the Participants

UGC Promotion of Academic Integrity and Prevention of Plagiarism in Higher Educational Institutions) Regulations, 2018

Activity 1: Kindly answer the quiz assignment which is available at: https://forms.gle/Qhs2MQinUL2HWkfC8

Time Allocated for the Activity: 15 Minutes.

Assessment: Click Here to View the assessment result

Creative Commons Licences

Creative Commons (CC) is an American non-profit organization and international network devoted to educational access and expanding the range of creative works available for others to build upon legally and to share.

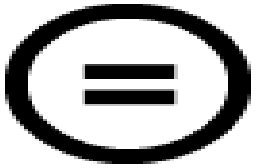
The organization has released several copyright-licenses, known as Creative Commons licenses, free of charge to the public.

Conditions in Creative Commons

Creative Commons
This symbol shows that the document, course, image, music, or art has a creative commons license.

BY
This license lets others distribute, remix, tweak, and build upon your work, even commercially, as long as they credit you for the original creation. This is the most accommodating of licenses offered. Recommended for maximum dissemination and use of licensed materials

SA
If you remix, transform, or build upon the material, you must distribute your contributions under the same license as the original.



ND
This license allows for redistribution, commercial and non-commercial, as long as it is passed along unchanged and in whole, with credit to you.

NC
The work may not be used for commercial purposes

Creative Commons Licenses

16 possible combinations of 4 conditions of Creative Commons. 4 include both ND and SA and 1 include no clause/condition.

11 are valid Creative Commons licenses.

5 out of the 11 valid Creative Commons licenses lack BY clause and phased out as because almost all licensors requested BY.

Therefore, there are thus six regularly used licenses

i) Attribution alone (by);

ii) Attribution + Noncommercial (by-nc);

iii) Attribution + NoDerivs (by-nd);

iv) Attribution + ShareAlike (by-sa);

v) Attribution + Noncommercial + NoDerivs (by-nc-nd);

vi) Attribution + Noncommercial + ShareAlike (by-nc-sa).

Licences of OER

THE LICENCES

FREE CULTURAL WORKS

ATTRIBUTION

Can someone use my work to make money? ✓

Can someone change my work? ✓

ATTRIBUTION-NONCOMMERCIAL

Can someone use my work to make money? ✗

Can someone change my work? ✓

ATTRIBUTION-NONCOMMERCIAL-NODERIVS

Can someone use my work to make money? ✗

Can someone change my work? ✗

(MUST ALSO BE LICENSED BY-SA)

ATTRIBUTION-SHAREALIKE

Can someone use my work to make money? ✓

Can someone change my work? ✓

ATTRIBUTION-NODERIVS

Can someone use my work to make money? ✓

Can someone change my work? ✗

(MUST ALSO BE LICENSED NC-BY-SA)

ATTRIBUTION-NONCOMMERCIAL-SHAREALIKE

Can someone use my work to make money? ✗

Can someone change my work? ✓

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Central Government Initiatives in Education

1. E-Pathshala
2. e-PG Pathshala
3. Study Webs of Active–Learning for Young Aspiring Minds (SWAYAM)
4. SWAYAM PRABHA
5. National Repository of Open Educational Resources (NROER)
6. National Digital Library of India ((NDLI)
7. Smart India Hackathon (SIH)
8. Manodarpan
9. Digital Infrastructure for Knowledge Sharing (DIKSHA)
10. National Initiative for School Heads' and Teachers' Holistic Advancement (NISHTHA)
11. IITPAL
12. PM-eVidya

E-Pathshala

Description: ePathshala is a portal/app developed by the Central Institute of Educational Technology (CIET), and NCERT (National Council of Educational Research and Training) which was launched in November 2015 and provide different kinds of reading materials to the learners.

Access Provisions: Website and Mobile Apps

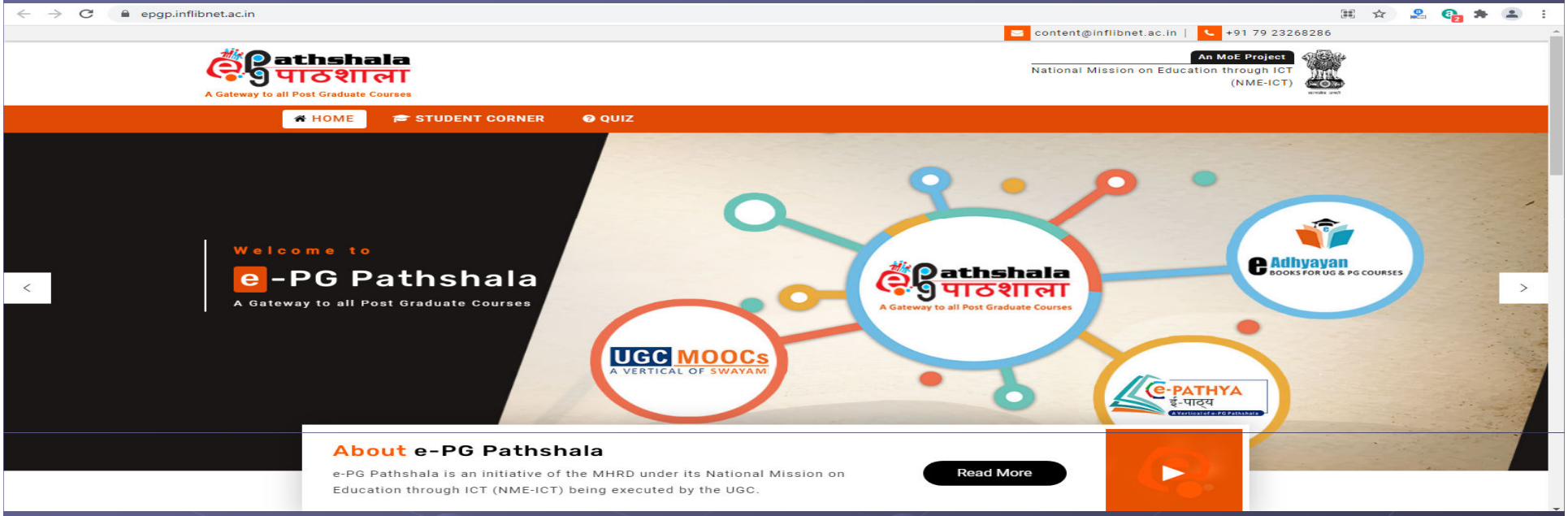
Language Support: English, Hindi and Urdu

Contents: Electronic Books, Audio, Audio-Video, Other Electronic Resources

Target Classes: Classes 1-12

Target Audience: Students, Teachers, Educators and Parent

e-PG Pathshala



Description: e-PG Pathshala (https://epgp.inflibnet.ac.in) is an initiative of the MHRD under its National Mission on Education through ICT (NME-ICT) and is being executed by the UGC. e-PG Pathshala offers e-Books [e-Adhyayan (e-Books)], online courses [UGC MOOCs (Online Courses)] & offline access to postgraduate students [e-Pathya (Offline Access)]. It offer high quality, curriculum-based, interactive e-content in 70 subjects across all disciplines of social sciences, arts, fine arts and humanities, natural & mathematical sciences.

Access Provisions: Website

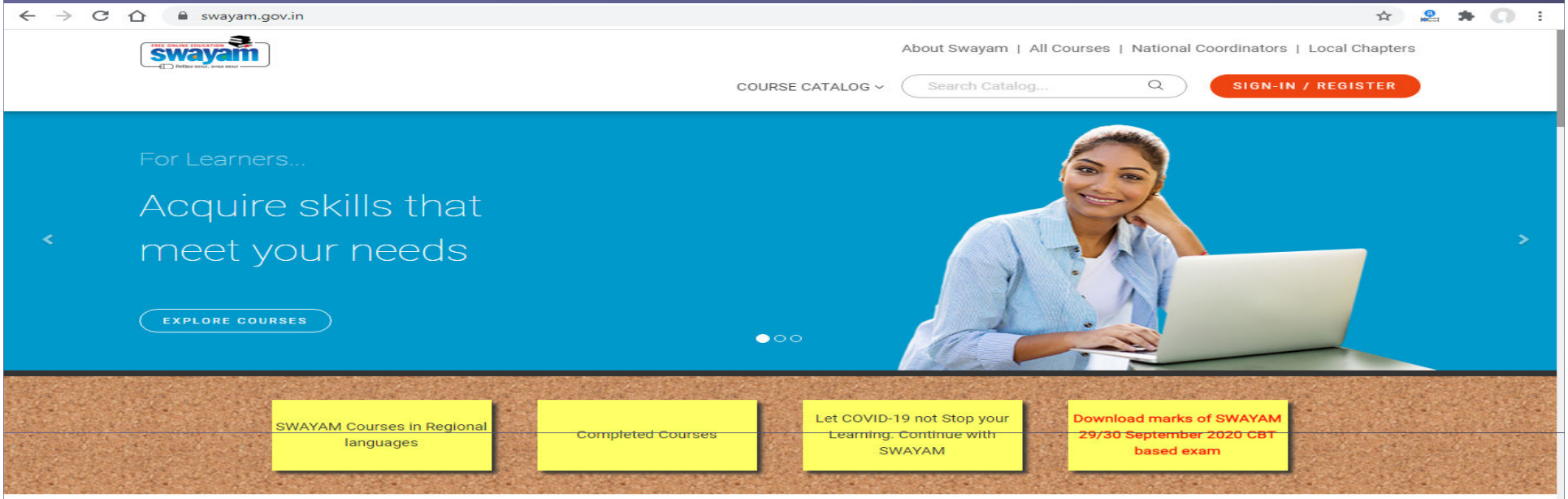
Language Support: English

Contents: Electronic Books, Audio-Video, Quiz

Target Classes: Post Graduate Students

Target Audience: Students, Teachers, Educators and Parent

Study Webs of Active–Learning for Young Aspiring Minds (SWAYAM)



Description: The SWAYAM platform is developed by Ministry of Human Resource Development (MHRD) and NPTEL, IIT Madras with the help of Google Inc. and Persistent Systems Ltd and it was launched on 9th July 2017. It is a MOOC platform where learners can take free of cost courses. However, for certification the learners need to attend paid test and after getting the certification the course credit can be transferred to academic.

Access Provisions: Website and Mobile Apps.

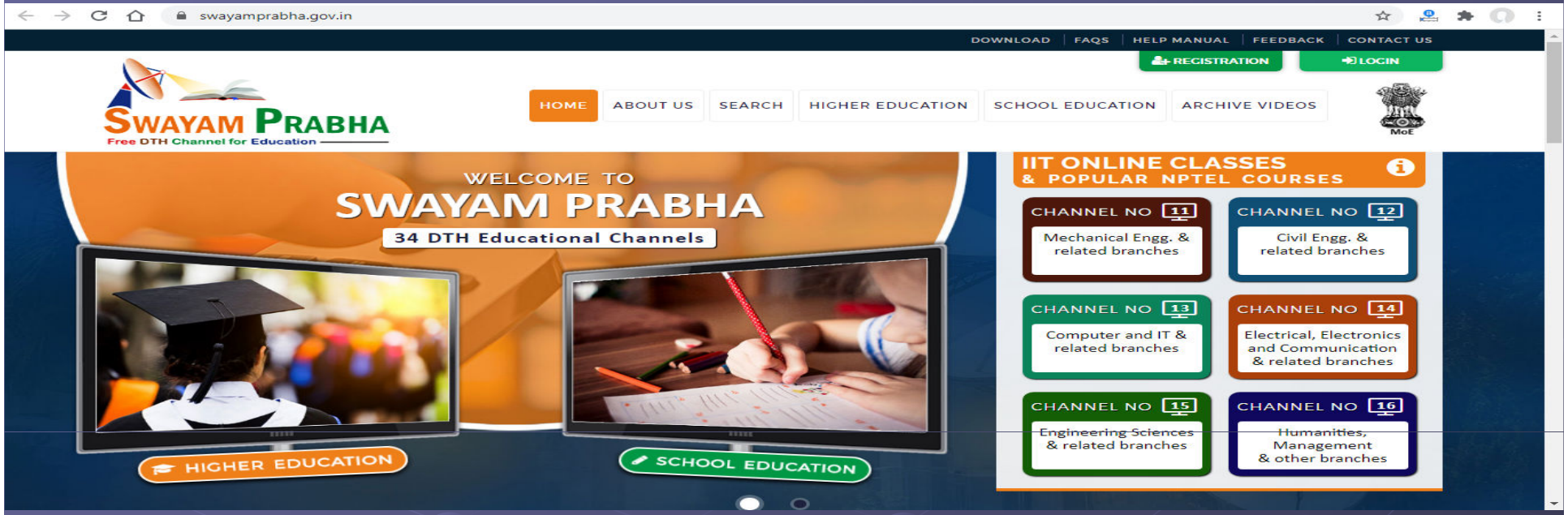
Language Support: English.

Contents: Course where video lecture, reading material, quiz and forum is available.

Target Classes: Classes 9 upto PG

Target Audience: Students, Teachers, Educators and Parents.

SWAYAM PRABHA



Description: SWAYAM PRABHA is an education learning platform initiated by the Ministry of Human Resource Development (MHRD) which is available 24x7 through 34 DTH channels. The SWAYAM PRABHA has new content everyday for at least (4) hours which would be repeated 5 more times in a day, allowing the students to choose the time of their convenience.

Access Provisions: TV Channel, Swayam Prabha Website, YouTube Channel

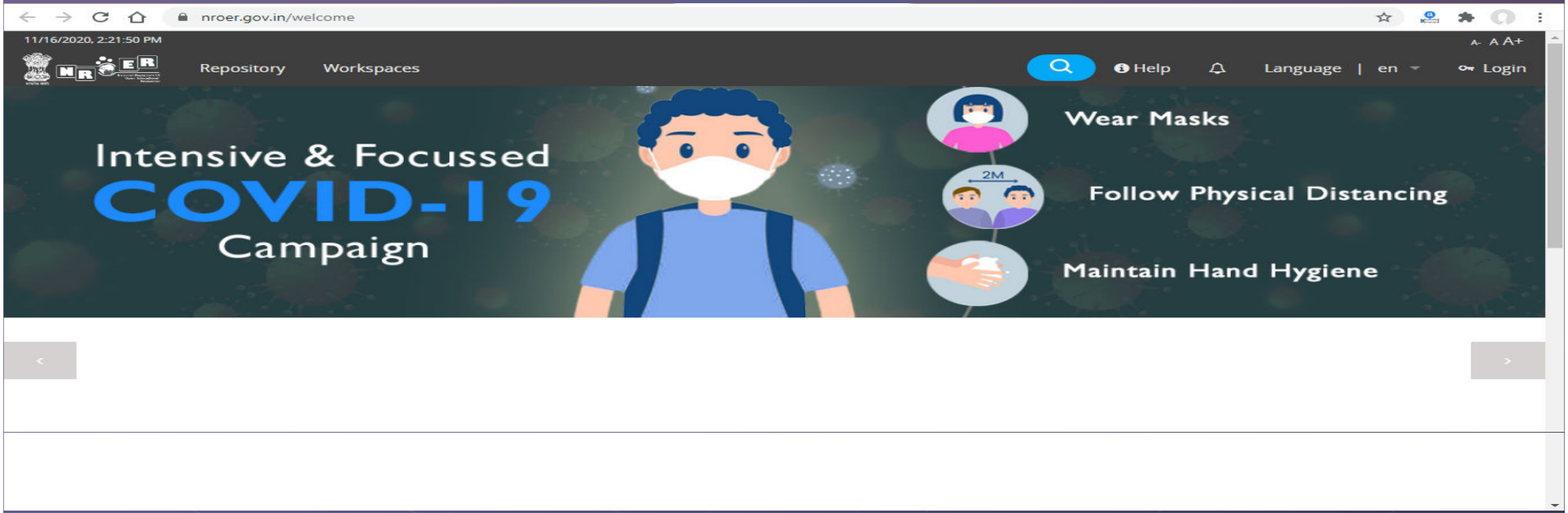
Language Support: English, Hindi and other languages

Contents: Video lecture

Target Classes: Classes 9 to P.G. proposed to launch one class one channel

Target Audience: Primarily Students

National Repository of Open Educational Resources (NROER)



Description: NROER was initiated by the Department of School Education and Literacy, Ministry of Human Resource Development, Government of India and managed by the Central Institute of Educational Technology, National Council of Educational Research and Training. It was launched on 13 August 2013 and provides open educational resources.

Access Provisions: Website

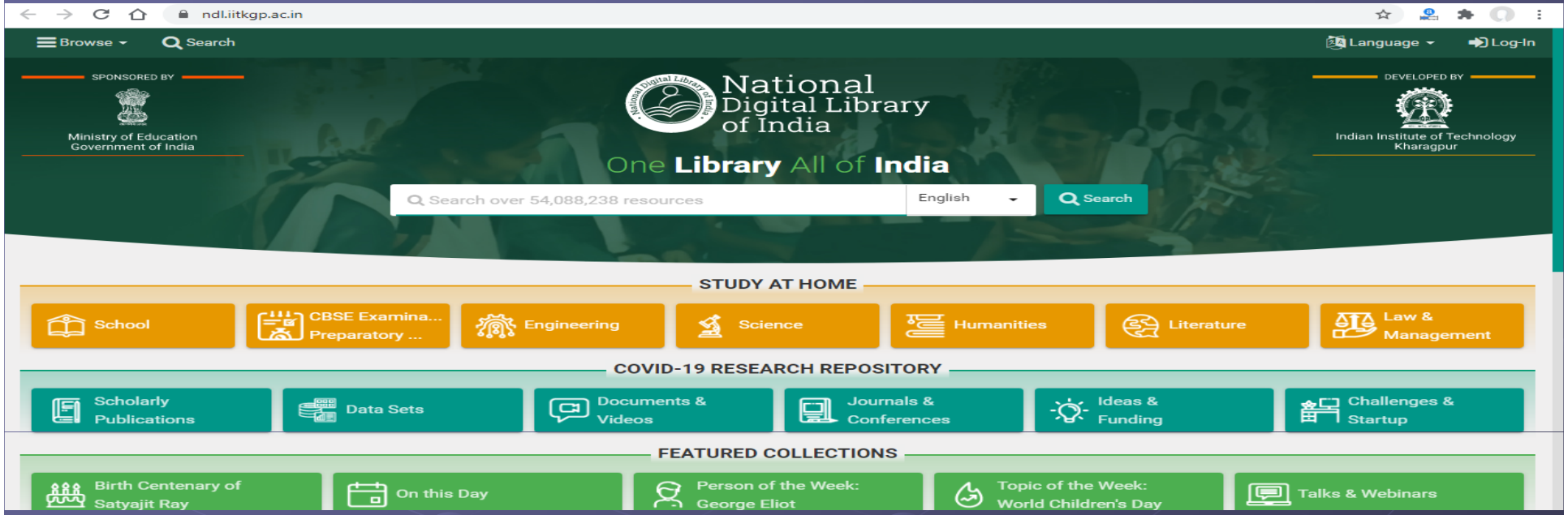
Language Support: English and Hindi

Contents: Open Educational Resources that include books, images, audios and videos. It provide OER mapped to school curriculum, Elibrary, Ebooks, Ecourses, Events and scope for Partner showcase.

Target Classes: Classes 1-12. However as on today only support classes 8-12.

Target Audience: Students and Teachers

National Digital Library of India (NDLI)



Description: NDLI is a virtual repository of learning resources firstly emerged as a pilot project in May 2016.

Access Provisions: Website and Apps

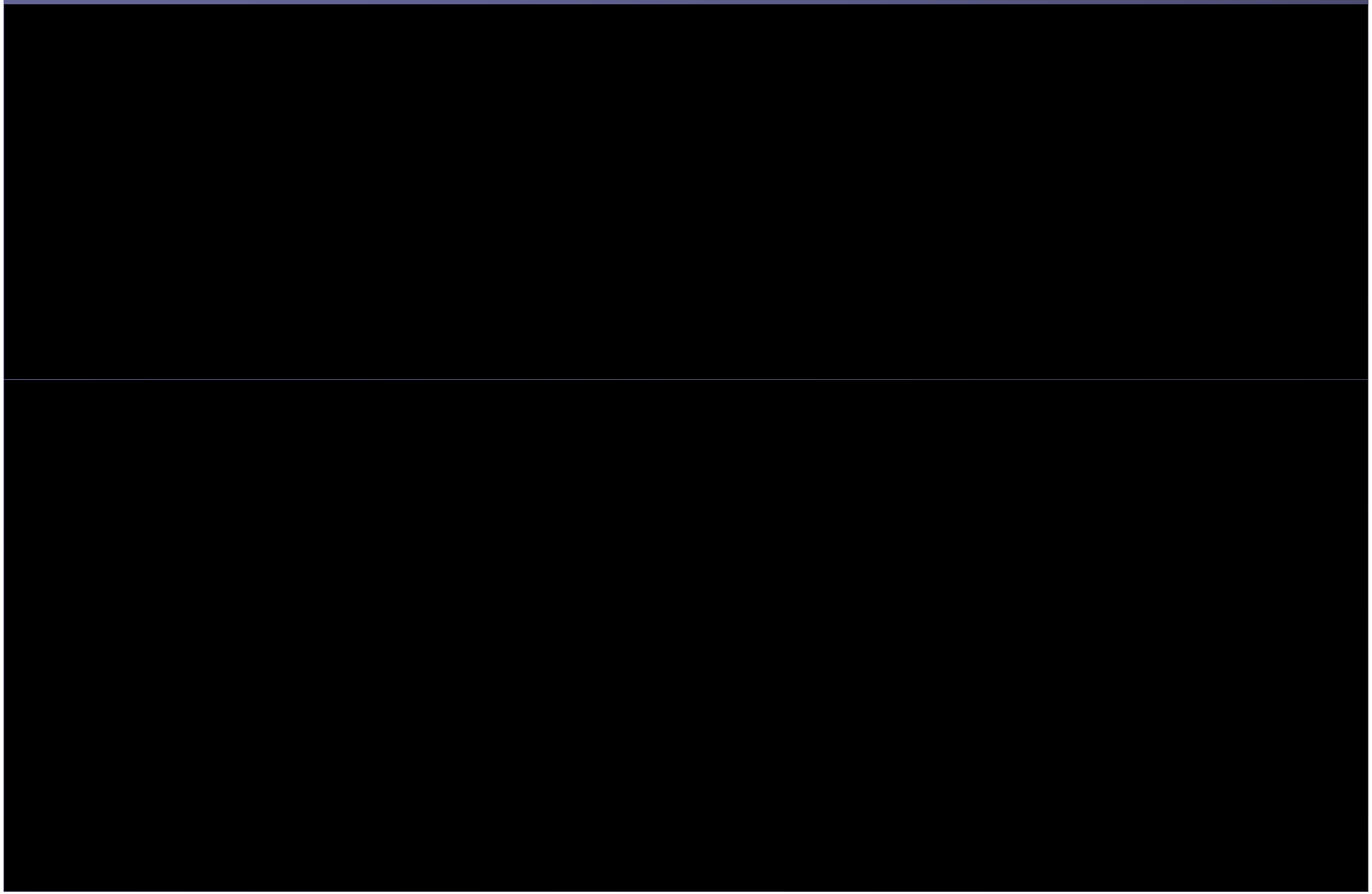
Language Support: English, Hindi, Bengali, Assamese and other 7 Indian languages.

Contents: Text, Image, Audio, Video, Presentation, Stimulation, Animation, Application,

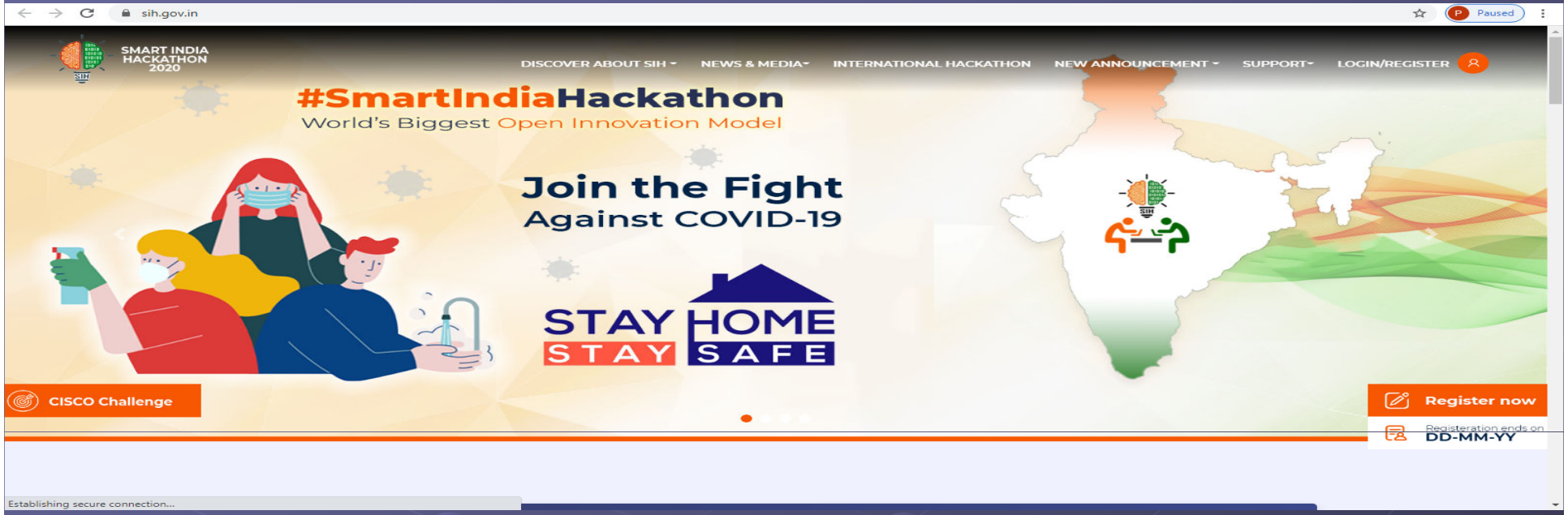
Target Classes: All Classes, Basically for Degree and Post Graduate and Research Level

Target Audience: All People

National Digital Library of India (NDLI)



Smart India Hackathon (SIH)



Description: Smart India Hackathon is a nationwide initiative to provide students with a platform to solve some of the pressing problems we faced in our life. It was initiated by MHRD's Innovation Cell & All India Council for Technical Education (AICTE) and inaugurated on 1st April, 2017.

Access Provisions: Website and Apps

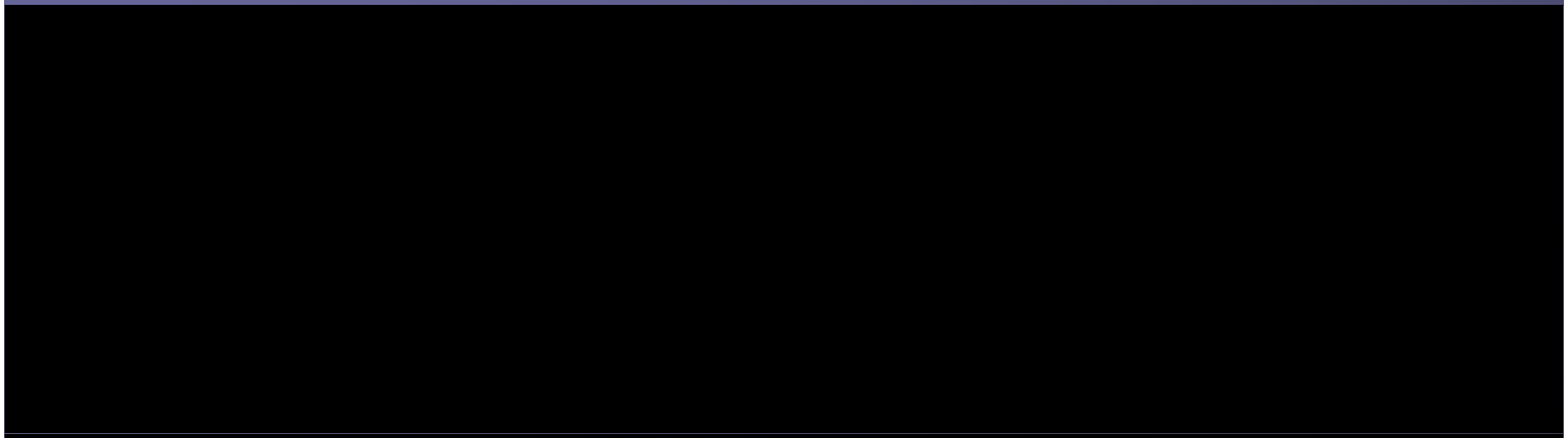
Language Support: English

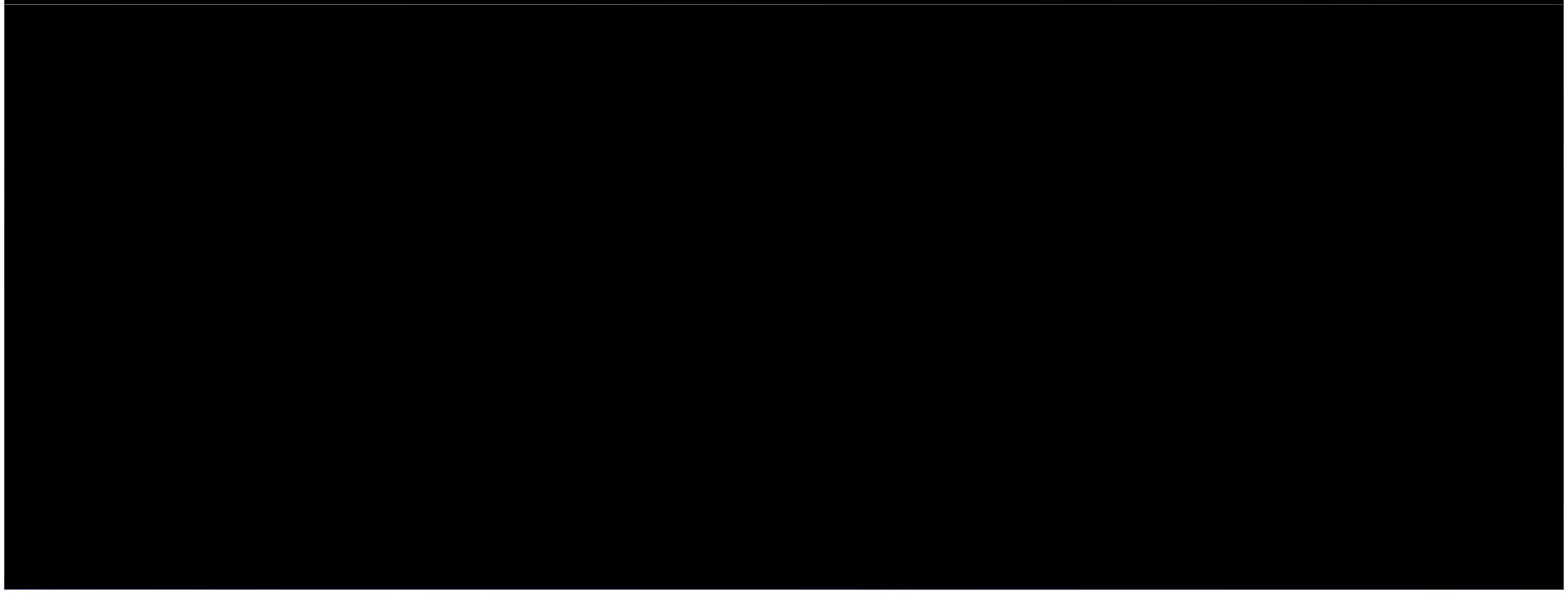
Contents: Participatory in solving problems

Target Classes: Technical Students

Target Audience: Students and Educational Institutes

Smart India Hackathon (SIH)





Manodarpan

Description: It is a platform to provide psychosocial support to students for their Mental Health and Well-being.

Access Provisions: Website, Online Chat, National Toll-free Helpline-8448440632

Language Support: English and Hindi

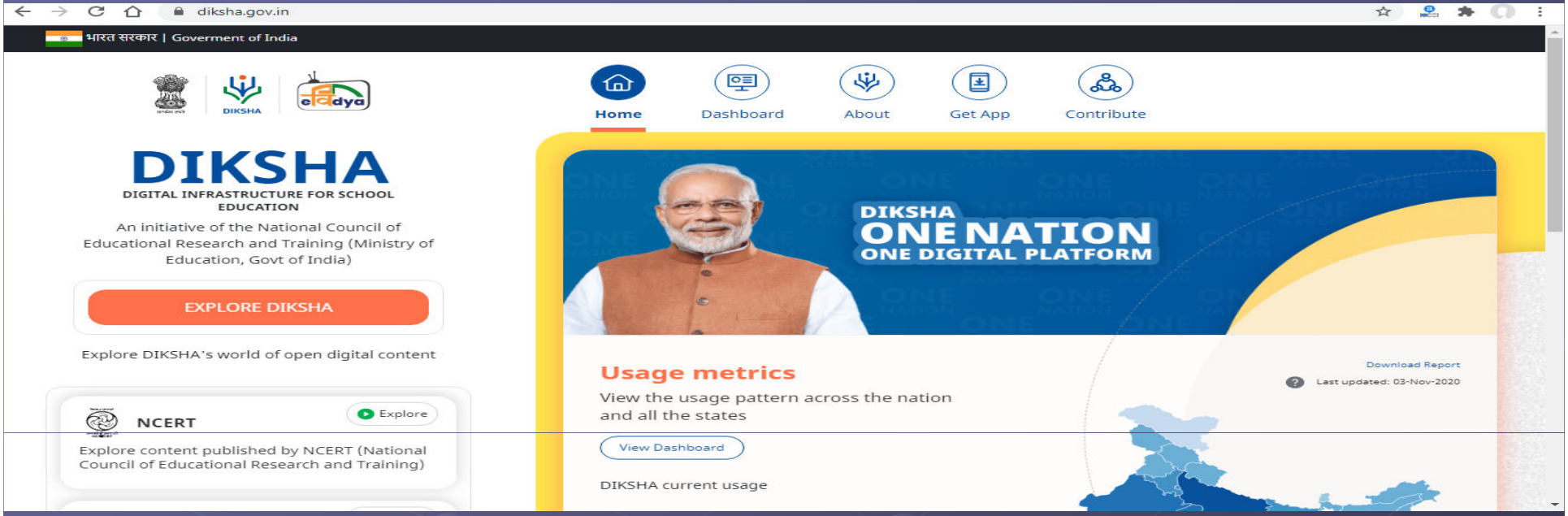
Contents: Provide support, guideline, posters and handbook.

Target Classes: Anyone

Target Audience: Especially young students

Manodarpan

Digital Infrastructure for Knowledge Sharing (DIKSHA)



Description: DIKSHA is initiated by National Council of Educational Research and Training (NCERT), Ministry of Education, Govt. of India and launched on 5th September, 2017.

Access Provisions: Website and Mobile Apps

Language Support: Support 18+ languages

Contents: E-Books, Audio-Video and others

Target Classes: Classes 1-12

Target Audience: Mainly Students

National Initiative for School Heads' and Teachers' Holistic Advancement (NISHTHA)

Description: Provide online training to the teachers, headmasters / headmistress and principals of school and colleges.

Access Provisions: Website and Mobile Apps

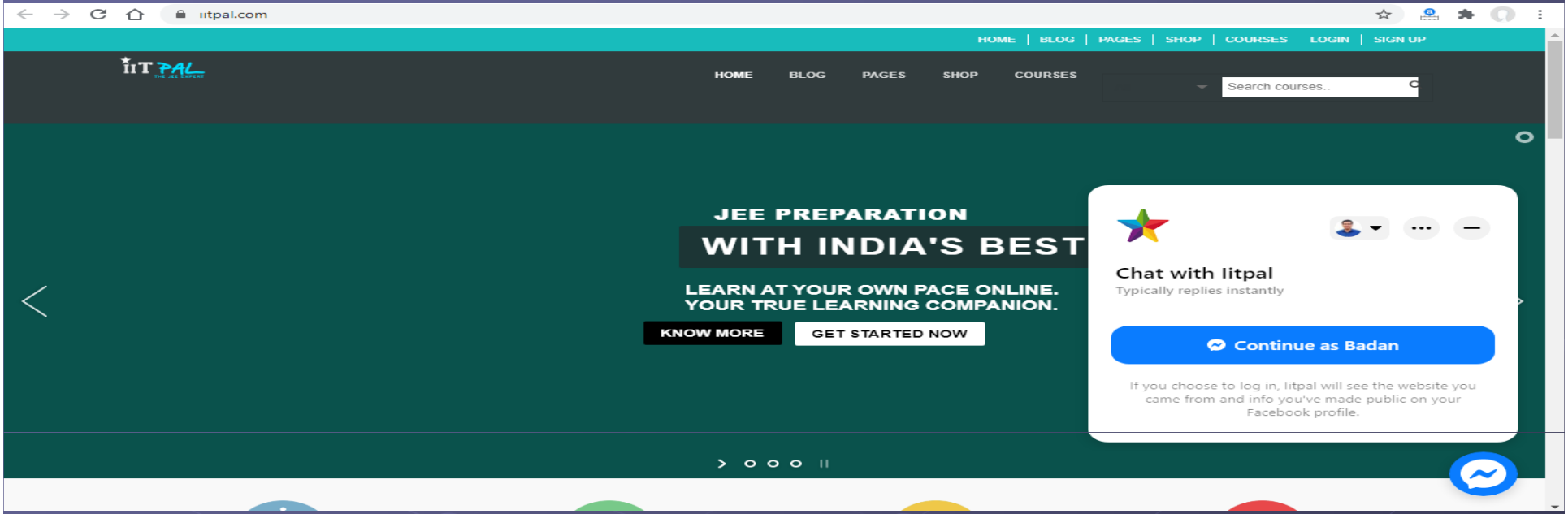
Language Support: English and Hindi

Contents: Online training

Target Classes: Not for students

Target Audience: Headmasters, Headmistress / Principals and Teachers

IITPAL



Description: It is an online learning platform created to help students preparing for JEE Mains and JEE Advanced.

Access Provisions: Website

Language Support: English and Hindi

Contents: Support with materials and mentors

Target Classes: Class XII Science Students

Target Audience: Students

PM-eVidya

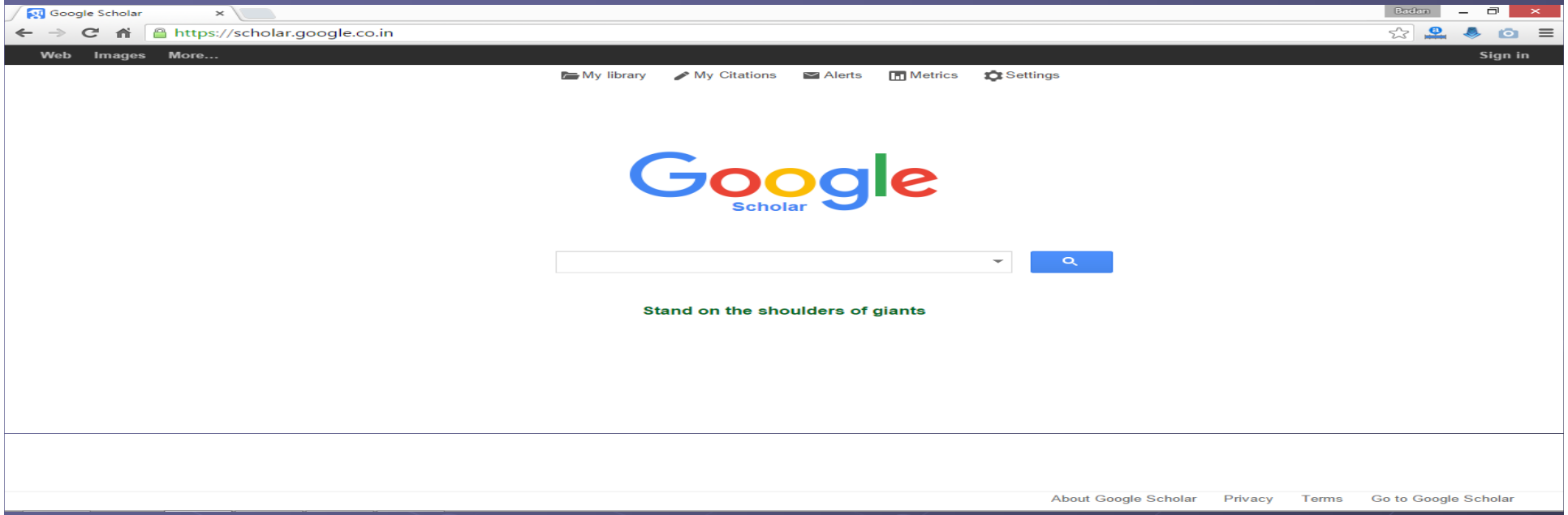
PM eVIDYA is a comprehensive initiative which unifies all efforts related to digital/online/on-air education.

This enables multi-mode access to education. It will comprises of use of Radio and Community Radio, One Class One TV Channel for classes 1-12, DIKSHA (one nation-one digital platform), SWAYAM, IITPAL, Manodarpan and others.

Academic Material Searching Platforms

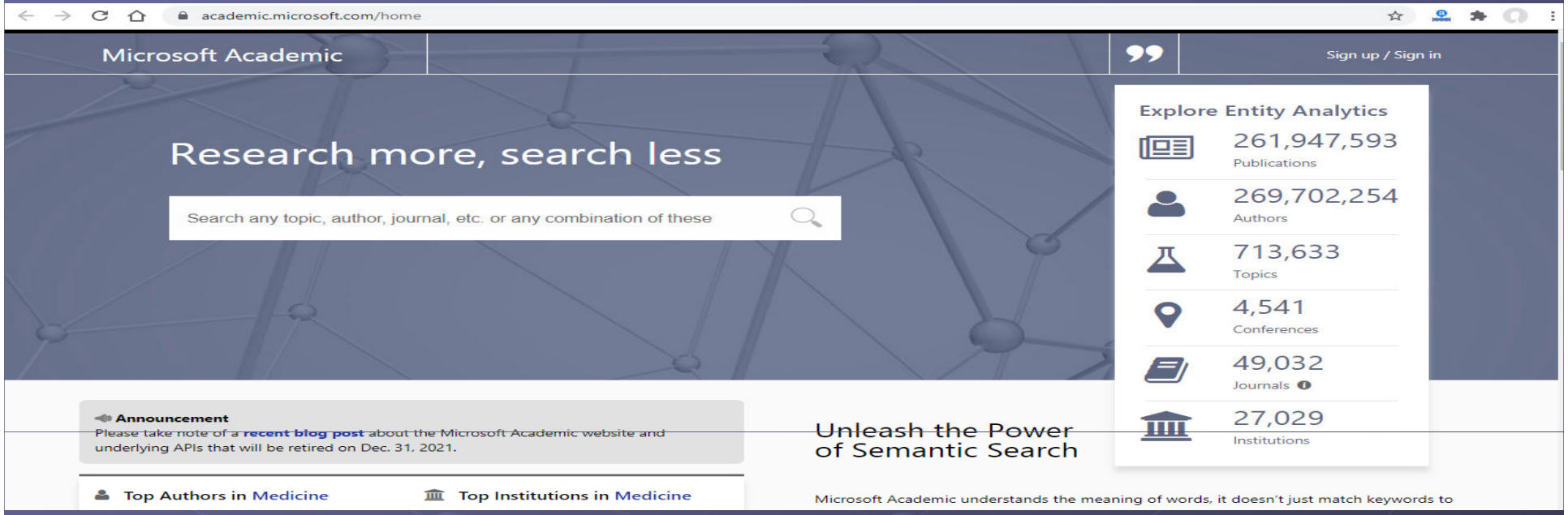
1. Google Scholar
2. Microsoft Academic
3. Dimensions
4. CiteSeerX
5. Sci-Hub

Google Scholar



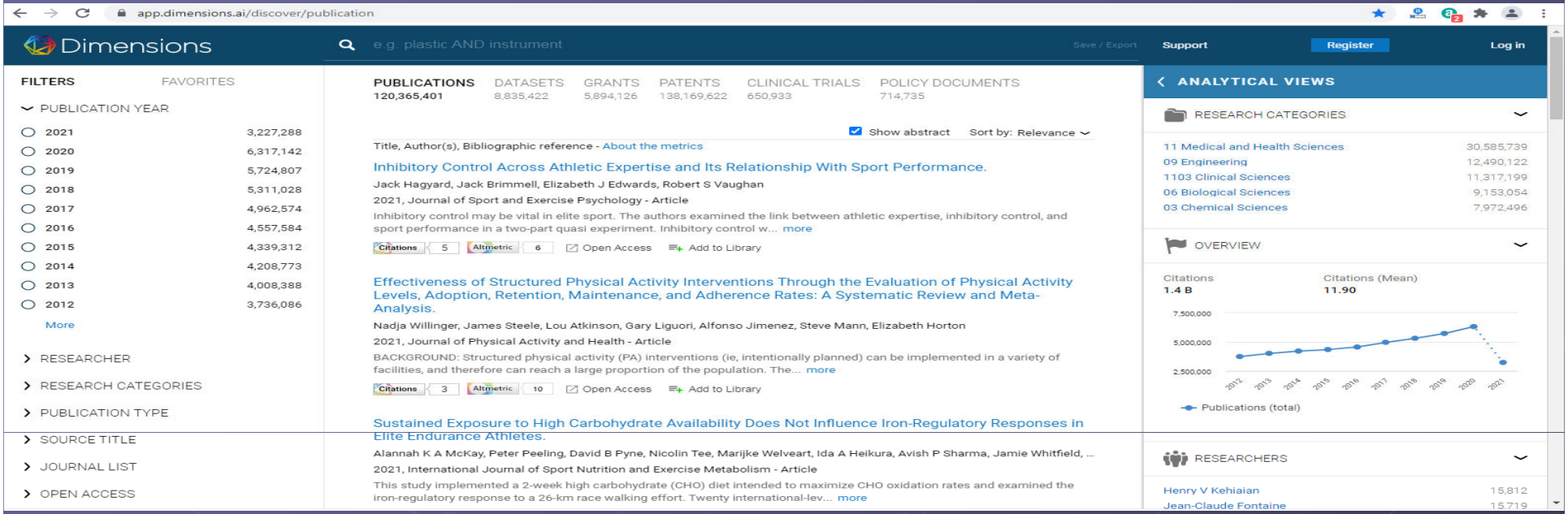
Description: Google Scholar is a freely accessible web search engine that indexes and searches the full text or metadata of over 39 crores scholarly literature across an array of publishing formats and disciplines.

Microsoft Academic



Description: Microsoft Academic is an academic search engine that searcher over 26 crores of journal articles and conference papers.

Dimensions



Description: Dimensions (https://app.dimensions.ai) is an abstracting and indexing database. Dimensions indexes data from a myriad of sources so that the user can track and understand the complete research cycle.

CiteSeerX

Description: CiteSeer^{x}: CiteSeer^{x} or CiteSeer (https://citeseerx.ist.psu.edu) is a public abstracting and citation database for scientific and academic papers, primarily in the fields of computer and information science. It is the first product achieved through automated citation indexing, other such products include Google Scholar and Elsevier's Scopus.

Sci-Hub

Description: Sci-Hub (https://sci-hub.se) is an online platform that hosts material without regard to copyright. It provides free access to millions of research papers and books by bypassing publishers' paywalls in various ways.

E-Journals Platforms

1. Directory of Open Access Journals (DOAJ)

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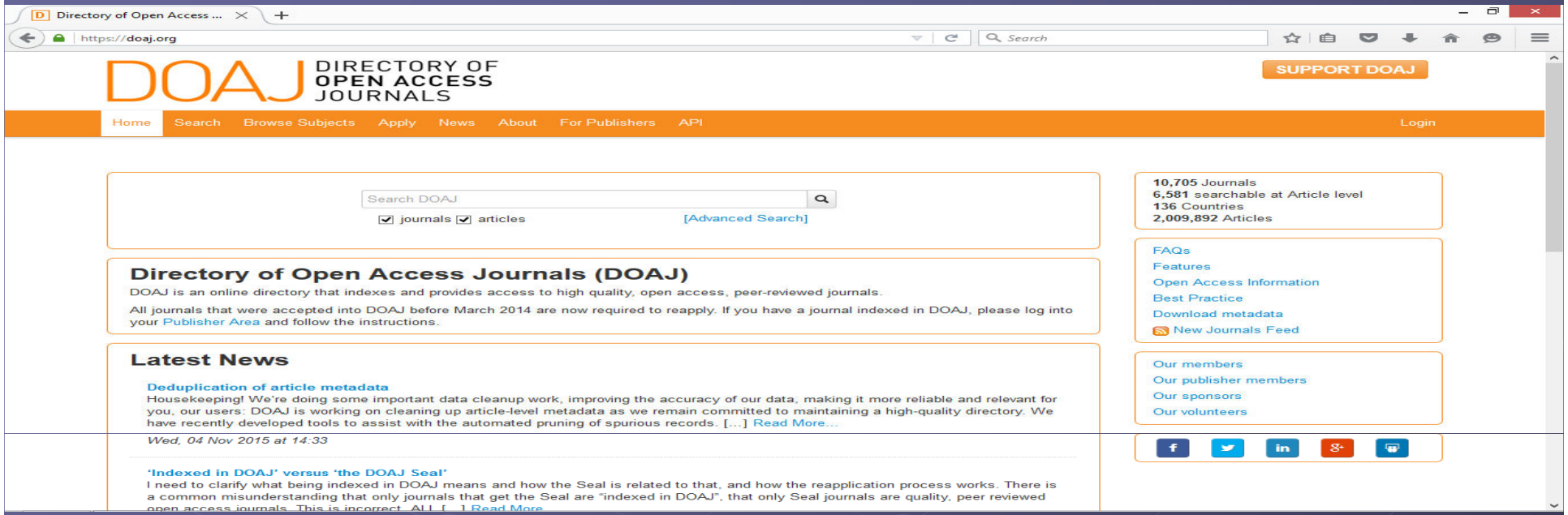
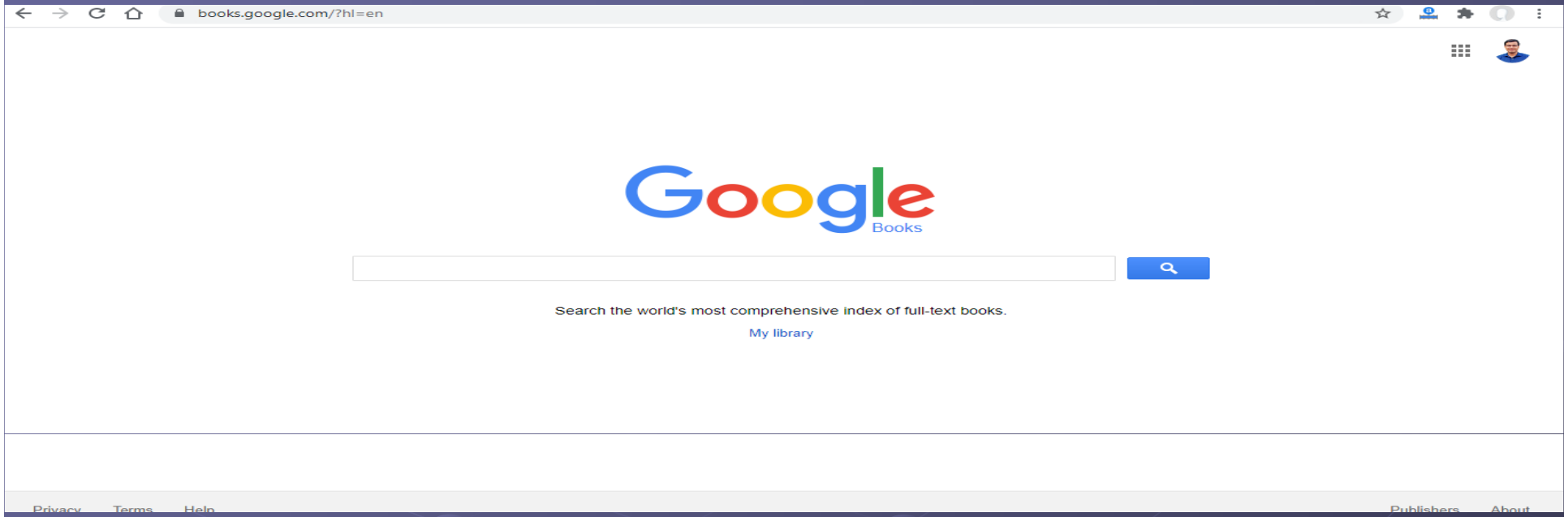


Description: The Directory of Open Access Journals (DOAJ) is a free database containing over 16500 peer-reviewed open access journals and 63,02,902 covering all areas of science, technology, medicine, social sciences, arts and humanities.

EBooks Platforms

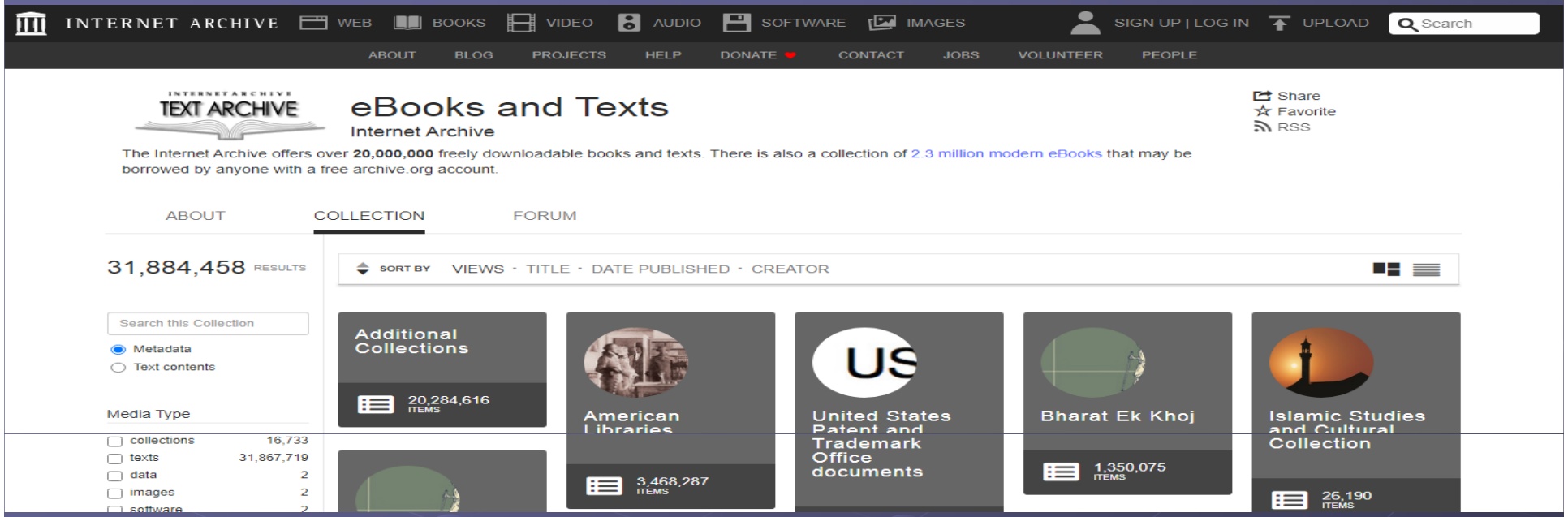
1. Google Books
2. Internet Archive: eBooks and Texts
3. PDF Drive
4. Project Gutenberg
5. JustFreeBooks

Google Books



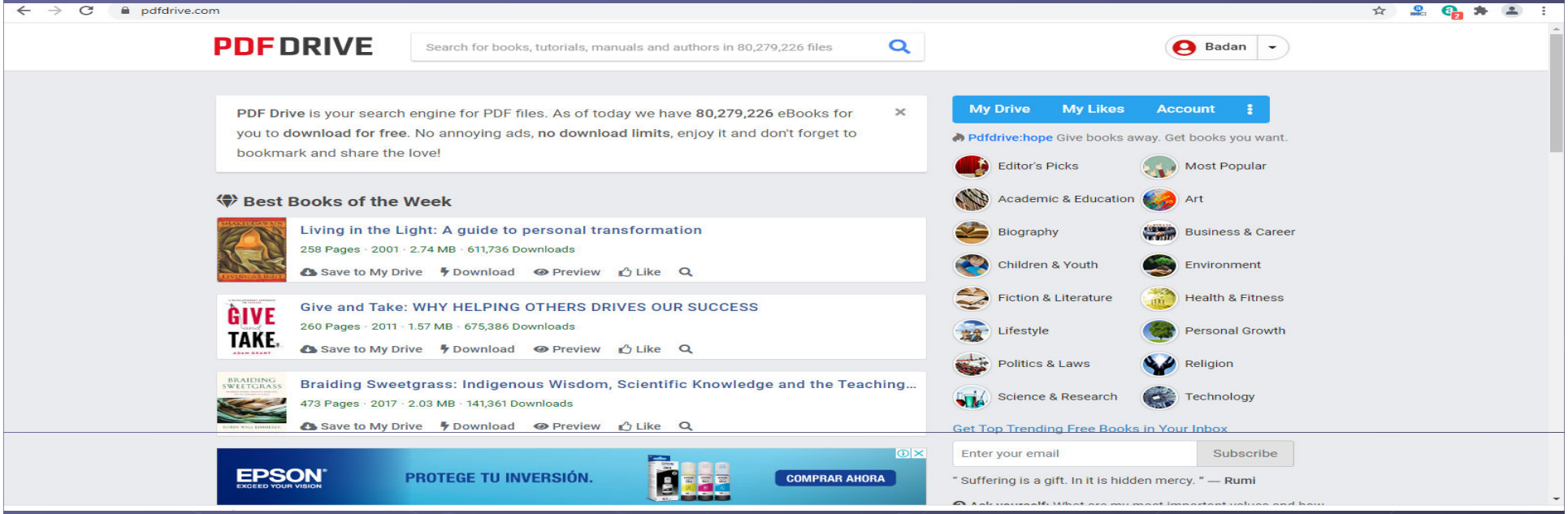
Description: Google Books searches 4 crors of full text of books and magazines that Google has scanned, converted to text using optical character recognition (OCR), and stored in its digital database.

Internet Archive: eBooks and Texts



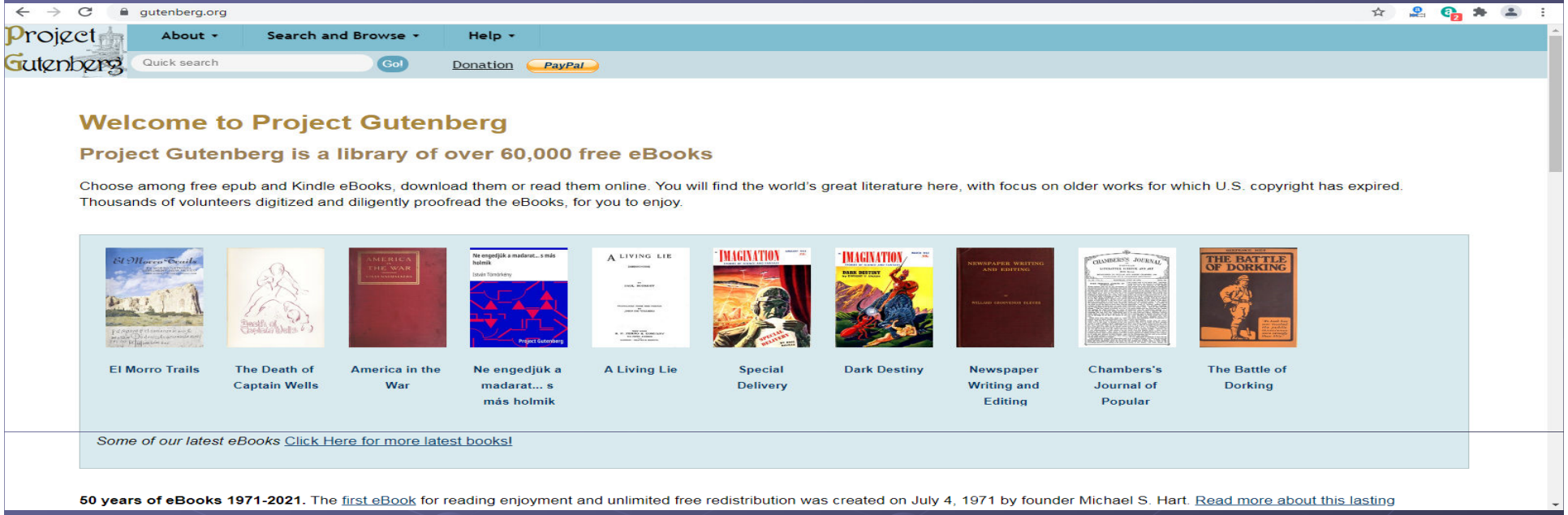
Description: The Internet Archive offers over 3 crores of freely downloadable books and texts.

PDF Drive



Description: PDF Drive: PDF Drive (https://www.pdfdrive.com) hosts more than 8 crores of EBooks without regard to copyright. Most of these books are hosted by the user in their PDF Drive's virtual drive which were later on indexed by the PDF Drive and make them available to all other users over the Web. The site's operation is financed by user donations and advertisement.

Project Gutenberg



Description: Project Gutenberg is a volunteer effort to digitize and archive cultural works, to encourage the creation and distribution of eBooks. It was founded in 1971 by Michael S. Hart and is the oldest digital library. As on 30th January, 2017, Project Gutenberg offers over 53,000 free ebooks collected from free epub books and free kindle books. The ebooks are downloadable or can be read online.

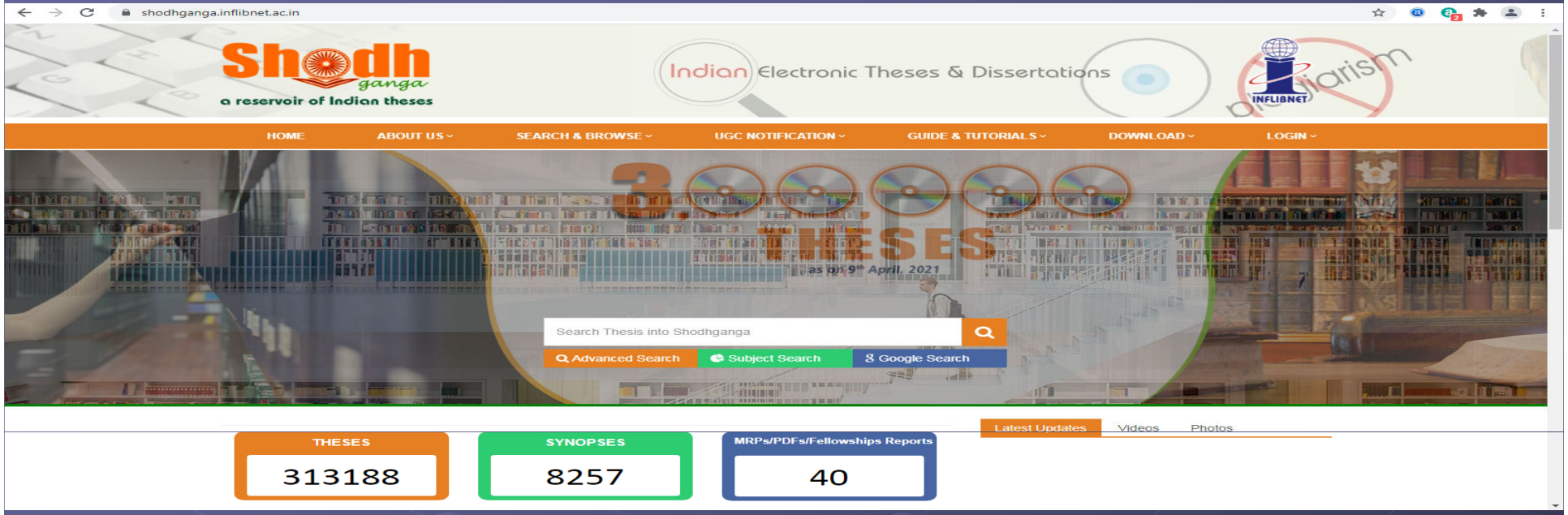
JustFreeBooks

Description: JustFreeBooks (http://www.justfreebooks.info) is a Google Custom Search Engine to search and find out free books over the Web.

Institutional Repositories Platforms

- Shodhganga

Shodhganga



Description: Shodhganga (http://shodhganga.inflibnet.ac.in) is a joint venture of UGC and INFLIBNET. INFLIBNET takes an active role in making it mandatory to submit the electronic copy of a thesis whenever the research scholars submit their thesis to the respective university or institutions for the PhD degree in India. As on 4th April, 2021, Shodhganga hosts more than 3 lakhs theses from more than 400 universities in India.

References

Anderson, T. & O'English, L. (2018). Open educational resources: Tools for affordable learning. Washington State University Libraries. Licensed Creative Commons Attribution 4.0 International (CC BY 4.0). http://libguides.libraries.wsu.edu/affordablelearning

Barman, B. (2022). A comprehensive book on Library and Information Science. LIS Links.

Questions & Answers Session

Activity and Assessment of the Participants

Activity 1: Kindly answer the quiz assignment which is available at: https://forms.gle/r9GENp25DCuLgaFMA

- **Time Allocated for the Activity:** 15 Minutes.

Assessment: Click Here to View the assessment result

Thanks for Facilitating Mutual Learning

Will be Happy to Keep in Touch

+91 98642 05166
badanbarman@gmail.com
www.lislinks.com