



# Copyright Act

Civil Law Title 2

7th of December, 2023

AN ACT TO Standardise the copyright procedures and outline the rights granted by a copyright. It must be taken for a fact that the rights of those who compose creative works shall be protected without requiring unnecessary legal steps to ensure the creative freedom is granted within the Republic without the fear of theft.

**The Parliament of the Republic of Rosava, representing its people, with the will of the President of the Republic of Rosava representing the same, and the Chancellor of the Office, enacts the following in its full text for the betterment of the nation;**

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## **§ 1. Preliminary Provisions**

- (1) All provisions of this act are to be effective immediately after passage by the Parliament of Stratham.
- (2) In cases of conflicts with previous legislation regarding the topics covered by this Act, this Act is to take precedence.
- (3) In cases of a breach of this act in an action that has begun prior to the passing of the act, if the action has been already outlawed by previous acts regarding the issue of copyright, the perpetrator may be tried to the standards of this act, however, if the action has been newly outlawed by this act, the perpetrator may have up to 3 days to cease their action. This action may be passive (ex. Usage of a Logo under copyright) and/or active (ex. The process of constructing a stolen architectural plan.).
- (4) Unless context requires otherwise, the ‘author’ refers to one who is the original creator of a work that is protected under copyright as defined in this act.
- (5) Unless context requires otherwise, ‘literary’ refers to a piece of written text of any length, intended to convey information artistically, commercially, scientifically or creatively.
- (6) This document does not rely on any older act regarding this topic in any of the definitions, thus the older acts regarding this topic shall not be used as potential sources to seek definitions.

## **§ 2. Copyright**

- (1) Copyright, that can be also represented with the symbol ©, is the right of every citizen and legal entity in Stratham to have the exclusive right to reproduce, copy, publish and capitalise the creative works created by themselves.
- (2) Creative works, alternatively referred to as works of authorship, are Tangible Forms of Expression that must;
  - (a) Get any amount of information across from the author to the consumer of the work,
  - (b) Be distinguishable enough from both common ideals and works and from other pieces of copyrighted work where no overlap can be proven beyond reasonable doubt,
  - (c) Be in the form of an artistic, architectural or scientific work, on a literary, graphical, audio, video, design, or physical construction/item based on design medium.
- (3) Works considered Creative Work or Work of Authorship include but are not limited to; paintings, books, scientific papers, infographics, logos & slogans given enough uniqueness, architectural plans, designs of buildings, designs of vehicles, videos, video-presentations.
- (4) No author may own the rights to the copyright of a group of works unless the member works of the group are each copyrightable on their own. No author may

own a genre, style or type of work under any circumstances. A technique of work may be copyrighted given that the author was the first to create such technique which must be distinguishable from all other existing techniques.

### **§ 3. Fair Use**

- (1) Fair Use is the usage, adaptation or citation of copyrighted work for the purposes of criticism, news reporting, commenting, teaching, scholarship and research.
- (2) All usages of the copyrighted work must be faithful to the purposes stated prior, and all work used in part or whole must not be made available to the public without reasonably establishing productive work on top of the original work in the pursuit of such purposes.
- (3) If an act of Fair Use meets all criteria mentioned above, the usage is not to be considered Copyright Infringement.

### **§ 4. Copyright Infringement**

- (1) The breach of the Copyright rights of an author is to be considered “copyright infringement”.
- (2) Authors seeking legal action against perpetrators of copyright infringement may seek;
  - (a) Compensation for any possible loss of revenue as a direct result of the infringement,
  - (b) The removal of all infringing works from circulation,
  - (c) Compensation for any possible loss of public reputability or similar as a direct result of the infringement.

### **§ 5. Transfer of Copyright**

- (1) The copyright of a work can be transferred from the original author to a second party via a written contract.
- (2) In situations where the clauses or provisions of a contract regarding the transfer of copyright are terminated for any reason, the copyright returns to the first party, and the second party must remove all infringing material as soon as possible.

### **§ 6. Alien Material Subject to Copyright**

- (1) An Alien Material is any otherwise copyright-able work created by a legal entity not citizen of or not recognized by the Republic of Stratham.
- (2) Alien Material is not subject to the copyright laws that apply within the Republic of Stratham.
- (3) Any citizen or legal entity in Stratham may reproduce, copy, publish and capitalise any Alien Material. A citizen or legal entity in Stratham is to gain the copyright over an Alien Material if the said Material is used by the aforementioned persons

in good faith, to benefit from the Alien Material's reproduction, copying, publishing and capitalisation not including the benefits of having hoarded the copyright.