

OMAN

**QUESTIONNAIRE**

**COPYRIGHT REGISTRATION AND RECORDATION**

**1) What is the name and legal status of the copyright registering/recording body in your country?**

Amina ALjelani Director of copyright Ip – dep @ yahoo.com.

**Please provide full contact details of the copyright registering/recording body, including location of its offices, with indication of the hours they open to public.**

Ministry of commerce & industry  
from Saturday to wenesday .  
Intellactual porparty Department (first floor)  
P.o Box 550 p.c 113  
am : 7.30 to 2.30

**Does the copyright registering/recording body have a webpage and e-mail address? If so, please list them.**

Ip – dep @ yahoo.com.

**Is the copyright registry interconnected to any other copyright data system?**

No. its not .

**Please list relevant national legislation, including regulations, regarding copyright recordation/registration.**

Article 2

Fees

Payable fees for filing of applications, shall be those specified in Schedule of these Regulation.

Fees shall be paid on the submission of application and payment may not be postponed for any reason whatsoever.

Fees shall be paid in Omani Riyals in cash or by means of a credit made on an account open by the Ministry or by any other means determined by the Ministry.

Article 3

Applications shall be made on the forms set out in schedule ( 2 ) annexed to these Regulations un Arabic.

Applications, signed by applicant or his duly authorized agent, shall be submitted to the Intellectual Property Department.

A document submitted for or on behalf of a partnership, a body corporate or an association shall contain the names of all partners or members, and signed by all the partners or members or by any person duly authorized.

A document Submitted to the Registrar in a language other than Arabic shall be accompanied with an Arabic translation.

**What kind of copyright works can be registered/recorded? Is the registration/recordation process different for each type of copyrighted work? Please describe the differences, if any.**

**NO . the process is same .**

**Can the subject matter of related rights (e.g., performances, broadcasts, sound recordings) also be registered/recorded? If yes, is there a different registration/recordation process than for works protected by copyright?**

**No . the process is same .**

**7. Audio-visual work: The work composed of a series of linked images giving the impression of motion and recorded on medium or any other devices, either along with audio or not, including cinema works.**

**8. Work of Applied Arts: Any artistic creation of useful functions or integrated into a**

**tool for use concerning a work for producing traditional or industrial crafts.**

**9. Work of Photography: Any recording of light or any other radiation on a medium producing an image or from which an image can be produced, whatever is the technical nature through which the recording was accomplished (chemical, electronic or other).**

**Musical expressions such as folk songs accompanied by musical instruments.**

**Movement performances such as dances, popular artistic presentations and traditional popular rituals.**

**Concrete expressions such as drawings or paintings, sculptures, pottery, porcelain, carving, sculpture, mud, engraving on wood and metals, jewelry, needlework, textiles, clothing, carpets, traditional musical instruments, architectural forms and all products of plastic folk art.**

**Is there a possibility to record the transfer or licensing of copyright/related rights?**

Yes . there is .

**Is there a possibility to record a security interest in the copyright or related right? If so, what are the legal requirements and effects of such recordation?**

NO . there not .

**What is the legal effect of registration?**

The registration is voluntary.

**Is copyright registration/recordation mandatory or voluntary in the following circumstances?**

**Recognition of creation?**

voluntary

**Transfer of rights?**

mandatory

**Initiation of judicial proceedings?**

voluntary

**Other changes in title/ownership (such as leasing)?**

mandaturu .

**If your country has a mandatory registration/recordation system, please describe any legal consequences for non-compliance.**

The system in our country is voluntary .

**Do courts in your country recognize copyright registrations affected by public authorities in other countries? If yes, is recognition automatic or is a local procedure required to validate or otherwise give effect to the foreign registration?**

NO.

**What are the requirements for registration?**

Fill the form and + identity card or passport copy . If it is a company commercial registration certificate.

**What are the mandatory elements of the request for registration/recordation?**

The original 3 copies of the work must be deposit . If it is a company commercial registration certificate must be provided, and 10 omani rial .

**Does the request need to be submitted in a specific form?**

Yes.

**Can the request be submitted by the post?**

NO. It can not submitted by the post, but it can be by agent.

**Can the request be submitted electronically?**

NO. It can not be submitted by the post but it can be by agent.

**is there a deposit requirement, that is, must a copy of the work be submitted with the registration request? If so, can it be submitted in digital form?**

NO. it cannot be by digital form.

**Is there a registration/recordation fee? If so, how much is the registration/recordation fee?**

Yes. 10 omani rial .

**What is the average time taken to complete the registration/recordation process?**

One day only.

**Are foreigners allowed to register/record their creations?**

Yes.

**Are people without legal residence in your country allowed to register/record their creations?**

Yes, but it can be by the agent.

**Is there a different registration/recordation process for domestic as opposed to foreign works or objects of related rights? NO.**

**Are the files stored in digital form?**

NO.

**What criteria are followed for classification of the registrations/recordation's (including chronology/name of right owner/name of work or related right/type of work or subject matter of related rights, etc)? Is it possible to correct or update relevant information?**

yes , it is possible to correct or update relevant information with paying fee:- 5 Omani rials .

**Does the system have a search facility?**

NO.

**Is it accessible by the public?**

NO .

**Is the search facility available online?**

NO.

**Is access granted to the work registered or its copies?**

The Original copy .

**Does the general public have access to other documents submitted or to any information regarding the work registered/recorded?**

NO.

**Does your country have legislation dealing specifically with "orphan works", i.e. works in respect of which the right owner can not be identified and/or located (e.g., a compulsory license or a limitation on liability)?**

NO . Please briefly describe the main elements of that legislation.

**Independently of whether your country has legislation on the subject, are there industry practices in your country aimed at identifying and/or locating the copyright owner of "orphan works"?**

NO .

**Does the registering/recording body play a relevant role in the legislation or practice?**

dealing with "orphan works"? NO.

**Is there a system to identify and list recorded/registered works or objects of related rights in the public domain?**

NO . after the works listed. Hence, we don't have any objection.

**Is that system automated? Yes.**

**Is that information made available to the public?**

Yes . if they need they have to pay fee .

**If your country has a public registration/recording system, do private institutions or initiatives exist that provide additional mechanisms to access registered/recording information from the public system?**

Yes .they do.

**Please provide statistics on following registrations/recording:**

**Number per statistical period (last five years)**

all works in last five years 616.

**Number per nationality (last five years) all is national.**

**Number of inquiries/requests for information filed per statistical period (last five years).**

**Number of recording/registrations whose subject matter has entered the public domain. Global figure/Figure per statistical period (last five years)**

## **LEGAL DEPOSIT**

**Does your country have a legal deposit system/s in place?**

Yes.

**Please list relevant national legislation regulating the legal deposit.**

Article (17):

The right holder of the work shall have the right, but no obligation, to deposit, at his own expenses, one copy of the work with the competent authority, such deposit is considered as presumption of ownership, and a record of the deposit shall be published as determined by the regulations. A decision shall be issued by the competent minister determining the deposit system and due fees.

**Is the legal deposit mandatory or voluntary in your Country? If mandatory, what are the legal consequences in case of non compliance?**

Yes, it's voluntary.

Article (17):

The right holder of the work shall have the right, but no obligation, to deposit, at his own expenses, one copy of the work with the competent authority, and such deposit is considered as presumption of ownership, and a record of the deposit shall be published as determined by the regulations.



A decision shall be issued by the competent minister determining the deposit system and due fees.

**What are the functions performed by your National legal deposit system (e.g. preservation of cultural heritage; collection of statistical information, etc)?**

**Is there any connection or interaction among legal deposit and copyright protection?** Yes , such deposit is considered as presumption of ownership.

**Does your national legislation have any provision in regard to making copies or adapting formats of deposited works for preservation purposes? If so, please clarify under which terms and conditions.**  
NO .

**What is the object of legal deposit? Please list all types or categories of material subject to legal deposit (e.g. Print Material, such as books, serials, government publication; Non-Print Material, such as music and audiovisual works, broadcast material).**

2. Work: Any production in the literary, artistic or scientific domain, of whatever type, way of expression, importance or purpose.

3. Creation: The creative nature, which gives originality and distinction to the work.

4. Collective work: Any work created by a group of authors under the supervision of a natural or legal person who undertakes to publish under his own liability and supervision. The efforts of authors shall be integrated in the general objective when it is not possible to separate the share of all authors and distinguish it independently.

5. Joint work: Any work created with the contribution of many persons irrespective of whether it is possible or not to distinguish the share of each, unless otherwise agreed, and which is not classified under collective works.

6. Derivative work: Any new work created and produced from an existing one, like translation, music arrangements, and collections of works, including readable databases whether from the computer or elsewhere, and expressions of folklore.

7. Audio-visual work: The work composed of a series of linked images giving the impression of motion and recorded on medium or any other devices, either along with audio or not, including cinema works.

8. Work of Applied Arts: Any artistic creation of useful functions or integrated into a

tool for use concerning a work for producing traditional or industrial crafts.

9. Work of Photography: Any recording of light or any other radiation on a medium producing an image or from which an image can be produced, whatever is the technical nature through which the recording was accomplished (chemical, electronic or other).

10. Expressions of national folklore: Any expression or production of distinguishable elements reflecting the traditional popular heritage that was originated developed and maintained in the Sultanate of Oman to express the traditional cultural identity which is communicated through generations, including particularly the following expressions:

Oral expressions such as popular stories, anecdotes, sayings, mysteries, poems and other folklores.

**Musical expressions such as folk songs accompanied by musical instruments.**

**Movement performances such as dances, popular artistic presentations and traditional popular rituals.**

Concrete expressions such as drawings or paintings, sculptures, pottery, porcelain, carving, sculpture, mud, engraving on wood and metals, jewelry, needlework, textiles, clothing, carpets, traditional musical instruments, architectural forms and all products of plastic folk art.

11. Reproduction: Making one or more true copies of a work, performance, or sound recording by any means and in any form, including permanent or temporary electronic storage, printing and photocopying of a work or sound recording.

12. Publication: Making available or offering, to the public, in reasonable quantities, tangible copies of a work, sound recording, broadcasting programs or performance by any means, with the consent of the right owner, for sale, rental, public lending or other transfer of the ownership or the possession of the copies.

13. Sound recording: The fixation of the sounds of a performance or of other sounds, or of a representation of sounds, other than in the form of a fixation incorporated in an audio-visual work
14. Producer of sound recording: The natural or legal person, who takes the initiative and has the responsibility for the first fixation of the sounds of a performance or other sounds, or the representations of sounds.
15. Producer of audio-visual work: The natural or legal person, who takes the initiative and responsibility for making the audio-visual work
16. Neighboring rights: The rights of the performers, producers of sound recordings and broadcasting organizations.
17. Performers: The persons, who act, sing, orate, recite, play, dance or otherwise perform other works and national folklore expressions.
18. Public domain: The property, which include all works excluded from protection or of which the term of protection of financial rights expires in accordance with the provisions of this law.
19. Broadcasting: Transmission of sounds or sounds and images, or transmission of any representation thereof, by wireless means - including transmission by satellite - to the public. It is considered as broadcasting the wireless transmission of coded signals if the means for decoding are provided to the public by the broadcasting organization or with its consent. Broadcasting does not include transmissions over computer networks or any transmission where the time and place of reception may be individually chosen by members of the public.
20. Public Performance: Any action presenting the work to the public of any variety including acting, playing music, singing, declaiming or dancing whereby a contact is established between the public and the work through direct performance or any other means.
21. Communication to the public: Transmission, by wired or wireless means of a work, performance, sound recording or broadcasting program, in a way to allow individuals, other than family members and friends, to receive the transmission in any place other than the origination point of the transmission, including the making available to the public of the work, performance, sound recording or broadcasting program in such a way that members of the public may access them from a place and at a time individually chosen by them.
22. Broadcasting organizations: The authority, which transmits, by wireless means, audio or audio-visual broadcasting.

Technological protection measures: Any technology, device or component that, in the ordinary course of its operation, controls access to a work, performance, sound recording, or broadcasting program, or protects any copyright or neighboring rights.

Rights Management Information: Information that identifies

A work, performance, or sound recording;

The author of the work, the performer of the performance, or the producer of the sound recording;

The owner of any right in the work, performance, or sound recording;

Information about the terms and conditions of the use of the work, performance, or sound recording; or

Any numbers or codes that represent such information.

When any of these items is attached to a copy of the work, performance, or sound recording, or appears in connection with the communication or making available of a work, performance, or sound recording to the public.

25. Fixation: The embodiment of sounds, or of the representations thereof, from which they can be perceived, reproduced, or communicated through a device.

**Does legal deposit apply upon production/printing of content or after its distribution?**

NO. Before distribution.

**Does legal deposit apply to material printed in your country but distributed abroad? Yes .**

**Is there any type or category of material exempted from legal deposit for policy reasons?**

Yes. 10. Expressions of national folklore: Any expression or production of distinguishable elements reflecting the traditional popular heritage that was originated developed and maintained in the Sultanate of Oman to express the traditional cultural identity which is communicated through generations, including particularly the following expressions:

Oral expressions such as popular stories, anecdotes, sayings, mysteries, poems and other folklores.

Musical expressions such as folk songs accompanied by musical instruments.

Movement performances such as dances, popular artistic presentations and traditional popular rituals.

**Is there any specific regulation in regard to material published in electronic format? If so, does the regulation distinguish between on-line and off-line material? Please clarify relevant differences.**

NO. It not applicable

**How many copies does the depositor have to deposit? Are there special conditions for limited or *de lure* editions? 3 copies .**

**Who is/are the subject/subjects responsible for delivering the legal deposit?**

Article (17):

The right holder of the work shall have the right, but no obligation, to deposit, at his own expenses, one copy of the work with the competent authority, and such deposit is considered as presumption of ownership, and a record of the deposit shall be published as determined by the regulations. A decision shall be issued by the competent minister determining the deposit system and due fees.

**What are the time requirements for legal deposit?**

One day only.

**Is there a payment or compensation involved in legal deposit?**

**If so, Please indicate its amount.**

10 Omani rial.

**What is/are the entity/entities responsible for acting as legal depository?**

Original copy and identifies

**Does the general public have access to legally deposited materials? If so, please explain under which terms and conditions.**

NO, it doesn't.

**Do/does the depository/depositories provide publicly available search facilities? If so, are they accessible on-line?**

NO, he doesn't - NO

**Is legal deposit linked to any number or code? Is there any relation with the International Standard Books Number (ISBN) with the International Standard Serial Number (ISSN) and other such codes?**

NO ----- NO

**Please provide statistics on the number of deposits per year for the following items (last five years); a) print material; b) musical works; (c) audiovisual works.**

- a) print material : - 600.**
- b) musical works : -6 .**
- c) audiovisual works : -10.**