

WIPO webinar
“The journey of a book”
October 14, 2025

Topic 2: How important is © for
authors and publishers



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INTELLECTUAL PROPERTY:

fruits of the creative and innovative mind

INDUSTRIAL PROPERTY

**COPYRIGHT &
RELATED RIGHTS**

Industrial Design

Patents

Trademarks

Geographical Indications

Allied Rights:

Trade Secrets

Image Rights

**Traditional
Knowledge**

Traditional Folklore

Intellectual Property (IP) is a property right

IP has financial value

IP can be sold or licensed

IP is an economic asset

Copyright Act of Commonwealth of Dominica, 2003

Categories of **ORIGINAL** works qualifying for copyright protection

Sections 5 & 6

Literary

Artistic

Dramatic

Musical

Typographical
arrangements
of published
editions

Sound
recordings

Broadcasts

Cable
Programmes

Translations
Adaptations
Modifications

Collections of Expression
of Folklore **

Section 2 - Definitions

"***expression of folklore***" means a group-oriented and tradition based creation of a group or individual, which is of ***unknown authorship***, and which reflects the standards, values, ***cultural and social identity of a community***, as transmitted orally, or by other means, and includes,

- (a) folk tales, folk poetry, and folk riddles;
- (b) folk songs and instrumental folk music;
- (c) folk dances and folk plays;
- (d) production of folk art, in particular, drawings, paintings, carvings, sculptures, pottery, terracotta, mosaics, woodwork, metal ware, jewelry, handicrafts, costumes and indigenous textiles;

Copyright protection **does not** extend to:

the idea

procedure

system

method of operation

concept

principle

discovery or mere data.

Exercising Copyright

Legal Protection:

Automatic once work exists in recorded form
Original to author
No formal registration required in territory

Proof of authorship:

Copyright notice – name, date, ©
Self-registration (via post office)
National Library of Dominica
Affiliation with RRO -Reproduction Rights Organisation

Commercialization:

Sales ! Bookings !

Enforcement:

Legal action against unauthorized use

Copy ***RIGHT*** What ***rights?***



Exclusive Economic rights: bundle of rights enjoyed by the ***author*** or other ***owner of copyright***

Moral rights : enjoyed by the ***author only***

Exclusive Economic rights- to authorize, or prohibit the following acts in relation to the work

Permission required and **Payment** for permission granted

- ❖ **reproduction** (copying) e.g. by the publisher
- ❖ **translation**, adaptation, arrangement or other **transformation** e.g. book into screenplay
- ❖ **distribution** to the public by sale, rental, public lending
- ❖ **importation** of copies of the work
- ❖ **public display** e.g. painting in gallery
- ❖ **public performance** e.g. songs played on radio
- ❖ **broadcasting** of the work or including it in a cable programme service
- ❖ other communication to the public e.g. **making available online**

N.B. Distinction. Economic rights enjoyed by
AUTHOR or other **COPYRIGHT OWNER**

The Copyright Owner is the owner of the Exclusive Economic Rights

Author is 1st Copyright Owner

However if Author transfer his/her economic right to another, that person becomes the Copyright Owner with the rights to enjoy that particular economic right.

Author remains the author- the one who created the work...

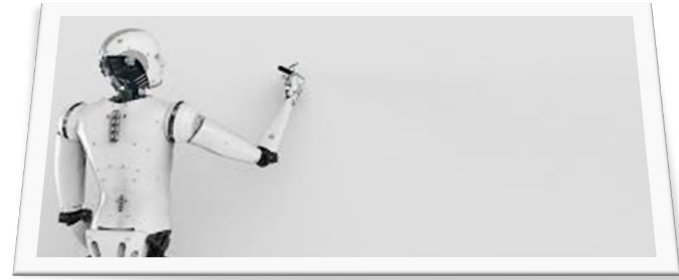
Moral rights - author only

- ❖ To be identified as author (*Right of Paternity*)
- ❖ Not to be falsely attributed as author
- ❖ Object to derogatory treatment (*Right of Integrity*)
 - distortion or mutilation of the work, use that is prejudicial to the honour or reputation of the author
- ❖ Have his name indicated prominently on the work
- ❖ Use a pseudonym

“**Author**” means the person who creates a work,
author of the literary work; composer of a musical work;
the artist; the photographer;
the person by whom the arrangements necessary for making the
sound recording or film or broadcast or cable programme service in
which the programme is included;
in the case of the typographical arrangement of a published edition,
the publisher; and

in the case of a literary, dramatic, musical or artistic work which is
computer-generated, the person by whom the arrangements
necessary for the creation of the work are undertaken.

Generative AI and Copyright



Is AI-generated content eligible for copyright protection ?

Basic principle: Copyright protects original expression of **human author**. Computer is a tool that aids human creative expression. Author must demonstrate own original creativity.

"**author**" in the case of a literary, dramatic, musical or artistic work which is computer-generated, ***the person by whom the arrangements necessary for the creation of the work are undertaken.***

Civil and Criminal legal action can be taken against acts of infringement

Civil action: Infringement of Economic Rights (s.37) and Moral Rights (s.46)

Damages; Injunction; Seizure or destruction of any infringing copy and implements used to commit an infringement; Accounts; Expenses and legal costs incurred as a result of the infringement.

Criminal offence s.51(4)

Fine –EC\$2500 for each copy or article

Subsequent offence- fine and imprisonment for 12 months.

EXCEPTIONS: Royalty & Permission free uses

- Private reproduction (research and study)
- Quotation (cite in bibliography)
- Criticism or review purposes
- News- articles & broadcasting of same
- Certain copying by LIBRARIES & EDUCATIONAL INSTITUTIONS

What is **FAIR** ?:

- (a) nature of the work
- (b) extent and substantiality of work
- (c) effect on potential market/ commercial value



Commonwealth of Dominica



Duration of copyright

Author's Life + 70 years

**Typographical arrangement
of a published edition**

25 years (count from end
of year of publication)

Managing your rights

- ❖ Put your Name, ©, date on the work. Copyright page (inside)
- ❖ Be clear on who is owner if work is produced in employment, for a newspaper /periodical, for the State, or on commission
- ❖ Be clear on percentage of ownership if work is co-authored
- ❖ Be clear on ownership of other works incorporated in work e.g. illustration, photographs
- ❖ Importance of Contracts. Put everything in writing.
- ❖ Divisibility of Rights for multiple-income streams by territory, use and duration of use
- ❖ Make a will to bequeath your assets including copyright

Managing secondary rights via *Reproduction Rights Organisation*

(RRO): Bridge between Volume Users (e.g. institutions) and the Copyright Owners of literary & artistic works published in print

5 Caribbean RROs:

Barbados (BCOPY)

Belize (BECLA)

Jamaica (JAMCOPY)



OECS (ECCLA)

Trinidad and Tobago (TTRRO)



The Economic Contribution of the
Copyright-Based Industries in the
Member States of the Organization of
the East Caribbean States



Creative Industries Series No. 8

WIPO study measuring the contribution of copyright to GDP and employment in OECS countries

2012 Study

Value of sector: ECS \$42.7 Million
3.3 % of GDP

For copy of study:

[https://www.wipo.int/en/web/copyright/
economic-performance](https://www.wipo.int/en/web/copyright/economic-performance)

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 **(876) 552-3846**



**Thank You
for helping us**

**Create a
Copyright Conversant
Culture**