

An Insight on Copyright

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SUBJECT(S): INTELLECTUAL PROPERTY LAW

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The Article begins by defining what generally are called “works” and are thus protected by copyright. These are original creations of an author or authors, which include, among others, literary works (such as books, periodicals, lectures, dissertations, letters, and the like), dramatic or dramatico-musical compositions (such as plays), artistic works (such as paintings, sculptures or drawings), musical works (such as songs or instrumental music), photographs, audio visual, cinematographic, sound and video broadcasting works (such as movies and television).

Under Philippine law, Lim notes that an intellectual creator, from the moment of creation, acquires the copyright for a work. Ergo, copyright comes into existence automatically by the fact that the work is created. The right granted by the copyright is one that entitles the copyright owner to exclude others from reproducing the work, or adopting it, or from granting benefits or licenses arising from it to other persons. The pertinent provisions of Presidential Decree No. 49 or the Decree on Intellectual Property are also discussed. As a member of the “Bene Convention for the Protection of Literary and Artistic Works,” the Philippines is obligated to honor the copyright owned by nationals of the other member-countries.