



MAHARASHTRA NATIONAL LAW UNIVERSITY MUMBAI

Department for Promotion of Industry and Internal Trade
DPIIT-IPR Chair, MNLU Mumbai

ONE-DAY INTERNATIONAL WORKSHOP ON
COPYRIGHT LIMITATIONS & EXCEPTIONS FOR
LIBRARIES, ACADEMIA & DIGITAL RESOURCES

30th March 2021

ABOUT MNLU MUMBAI

MNLU Mumbai is one of the premier national law schools located in the economic capital of India. It offers graduate, post graduate and research degrees in law and allied disciplines. The object of the university is to advance and disseminate learning and knowledge of law and legal processes and their role in national development, to serve society in the field of law by developing skills in regard to advocacy, legal services, legislation, law reforms and the like; to organize lectures, seminars, symposia and conferences to promote efficient instruments of social development. MNLU Mumbai has set up Centre for Research in IP among ten centres for legal research and has also been given IPR Chair by the Department for the Promotion of Industry & Internal Trade (DPIIT).

ABOUT THE DPIIT-IPR CHAIR

Department for Promotion of Industries and Internal Trade (DPIIT), Ministry of Commerce and Industry, Government of India, launched a Scheme for Pedagogy & Research in IPRs for Holistic Education & Academia (SPRIHA) under which IPR Chairs have been set up in select universities and academic institutes, in accordance National IPR Policy launched by the Government of India. Accordingly, DPIIT has established an IPR Chair at MNLU Mumbai to further the aims and objectives enumerated under SPRIHA norms including encouraging the study of, education in and research on Intellectual Property Rights, as well as to promote outreach in IPRs.

BACKGROUND TO THE WORKSHOP

Of the 193 countries that are members of the World Intellectual Property Organization, more than two-thirds of them have in their copyright statutes a provision that specifically permits libraries to make copies of copyrighted work in connection with the performance of library services. Many of the services that libraries focus on pertain to making copies of works for the purpose of preserving the materials in the collection and for providing copies to individuals for their research and study.

The future of the IP framework dealing with libraries will be shaped by copyright law through balancing the interests of authors and creators by granting certain monopoly rights on one hand and limitations and exceptions for the use, on the other. The exceptions for libraries and archives are fundamental to the structure of copyright law, and the exceptions play an important role in facilitating library services in serving the social objective. The advancement in the digital environment and knowledge and easy availability of copyrighted material within the premises of the libraries has raised many concerns. In particular, the last year has brought to light some stark realities with regard to the use of Digital Platforms in educational and knowledge-sharing processes in India and other jurisdictions. The concept of libraries as knowledge repositories has also undergone a major transformation. Distance learning, inclusiveness, the democratization of knowledge, accessibility, flexibility, and costs are now imperatives that place challenging questions for the spectrum of copyright and ethical issues.

OBJECTIVES OF THE WORKSHOP

The workshop will focus on diverse aspects of copyright law, including the exceptions and limitations especially in the context of the “brick-n-mortar” and digital frameworks associated with Educational and Knowledge Sharing processes involving teachers, students, librarians, and information professionals.

Another important aspect to be deliberated in the present workshop will be the peculiar situation due to Covid-19 concerning a changed scenario for knowledge dissemination. During the outbreak of COVID-19, the education sector suffered the horrors of ineptness due to the lack of alacrity to integrate ICT and digital learning into the mainstream. However, several research bodies and online research portals came forward to provide free of cost and open access research materials to learners. This system of digital learning and virtual libraries are set to become the new normal models of education and research. This also raises questions on expectations of exploitation versus the educational purpose of the exception. These issues will be discussed in the present workshop

Thus, the objective of the Workshop is to provide to the public, academic community, and librarians the opportunity to learn about the intricacies of Copyright Law and its limitations and exceptions on using the facilities available through the libraries and Archives. The discussion also intends to delve into the issues related to copyright and mass digitization of knowledge resources and suggest proactive measures

THEME OF THE WORKSHOP

The Workshop intends to discuss the issues of the Copyrightable subject matter, Rights of the Author, Publishers, and end-users, and also the impact of digital technology on the Copyright regime with a major concentration on Copyright Limitations and Exceptions to Libraries and Archives.

Session 1: Guest talk that addresses international perspective on various questions regarding preservation, access, copies, and other uses, including commercial use, in the context of libraries and archives.

Session 2: Guest talk that addresses the Indian legal system's approaches to the questions regarding preservation, access, copies in the context of libraries and archives.

Session 3: Panel discussion on questions regarding digitization of knowledge resources, digitization of libraries, fair use, and flexibilities in educational and research institution, highlighting the following points

- Responsibilities of publishing houses and digital research portals (pre and post-Covid impact and responsibility)

- Mass digitization and impact digitizing content in libraries.

- Issues relating to creating a searchable database with providing access to the print-disabled vis-a-vis fair use considerations.
- Need for improvement in the present fair use concept and developing a new doctrine of fair use.
- Legal and logistic uncertainties to obtain redress for copyright infringements.
- Future of Controlled Digital Lending (CDL).
- Exceptions for education purpose and new challenges;

WHO CAN PARTICIPATE?

The Workshop will benefit the participants from various segments of the community, viz., Librarians, Copyright Holders, Publishers, Software Developers, Government Institutes and Organizations, Academic Institutions, Advocates, policymakers, Government officials, IP lawyers, legal practitioners, researchers, students, and academicians and public in general.

PROGRAM SCHEDULE

30 March 2021 | 03:15 PM to 06:30 PM IST

03:15 - 03:50 PM - Inauguration of the Program

03:50 - 4:20 PM - International Perspective on Fair use exceptions under Copyright

04:20 - 04:50 PM - Indian Perspective on Fair use exceptions under Copyright

05:00 - 06:25 PM - Panel discussion on Digitization of libraries and Fair use flexibility

06.25- 06.30 PM - Vote of Thanks

SUBJECT EXPERTS

- **Prof. T.C. James**, President, National Intellectual Property Organization (NIPO).
- **Mr. Raghavender GR**, Joint Secretary, Department of Justice, Ministry of Law & Justice, Government of India, Ex-Registrar of Copyrights.
- **Prof. (Dr.) Peter Jaszi**, Professor Emeritus at American University Washington College of Law.
- **Prof. (Dr.) Alka Chawala**, Faculty of Law, University of Delhi.
- **Prof. Kimberlee Weatherall**, Professor of Law, Texas A&M University School of Law, The University of Sydney.
- **Prof. Ryan Vacca**, Professor, University of New Hampshire, Franklin Pierce School of Law .
- **Adv. Ameet Dutta**, Partner, Saikrishna & Associates.
- **Mr. Naval Shukla**, Founder at Netbookflix Learning Resource Pvt Ltd.

The list is not in any specific order

OUR TEAM

Patron



Hon. Prof. (Dr.) Dilip Ukey
Vice Chancellor, MNLU Mumbai

Chief Guest



Shri. Hoshiar Singh, ITS
Registrar of Copyrights
Copyrights Office, New Delhi

Co-Patron



Prof. (Dr.) Anil G. Variath
Registrar (I/c), MNLU Mumbai

Program Chair



Dr. W. M. Dhumane
DPIIT IPR Chair Professor, MNLU Mumbai
Ex-Sr. Jt. Controller of Patents & Designs

Program Co-Chair



Mr. Sajid Sheikh
Assistant Professor,
Coordinator, CRIP, MNLU Mumbai

HOW TO REGISTER?

The program will be held via Cisco Webex platform

Click the following link to register:

<https://mnlumumbai.webex.com/mnlumumbai/onstage/g.php?MTID=e8a1d2e0d4f3cf11212ea9b3f97f705d4>

**THERE IS NO REGISTRATION FEE FOR
ATTENDING THE EVENT**

**E-Certificate of Participation
will be given to all the
attendees**

Queries may be addressed to crip@mnlumumbai.edu.in

Contact Person:

Research Assistant,
DPIIT-IPR Chair, MNLU Mumbai

SUPPORTING PARTNERS

