

PRESENT SITUATION OF COPYRIGHT PROTECTION IN BANGLADESH

Md. Milan Hossain

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Abstract

For the cultural and economical development of a country, copyright protection and its exploitation are essentials. Without proper copyright protection, smooth social and cultural development is not possible. Copyright is a form of intellectual property; it protects the rights of authors, i.e., creators of intellectual property in the form of literary, musical, dramatic and artistic works and cinematograph films and sound recordings. It also stimulates and encourages their new activities. Copyright protection begins automatically from the date of creation. In Bangladesh, in order to get copyright protection, there is no need of registration; here copyright registration is not compulsory; it is optional but in succeeding a copyright infringement case, one has to show copyright registration before a court because copyright registration is a prima facie evidence as regards the ownership of a literary, dramatic or artistic work. The article focuses on the copyright protection in Bangladesh; how can one get copyright and its protection? How do the present laws ensure copyright protection? What is the practical situation of copyright protection?

Key Words: Copyright, copyright protection, assignment, license, infringement, piracy etc.

Introduction

Literary, artistic or dramatic works are the creation of authors, artists or dramatists. In order to enjoy the exclusive rights upon the creativities works, the creators must be provided copyright protection under a specific statue. Copyright ensures certain minimum safeguards of the rights of authors over their creations, thereby protecting and rewarding creativity. Creativity being the keystone of progress, no civilized society can afford to ignore the basic requirement of encouraging the same. Economic and social development of a society is dependent on creativity. The protection provided by copyright to the efforts of writers, artists, designers, dramatists, musicians, architects and producers of sound recordings, cinematograph films and computer software, creates an atmosphere conducive to creativity, which induces them to create more and motivates others to create.

In Bangladesh copyright is a subject-matter of statutory protection of intellectual property. Prior to 1962, there were no specific laws as regards copyright in the Pakistan or East Pakistan (later Bangladesh). At that time different laws (the Code of Civil Procedure, 1908, Penal Code, 1860 and Specific Relief, 1877) and the British copyright system were applicable in case of copyright enforcement. In 1962, a copyright Ordinance amalgamating the different copyright laws which were existed at that time, was promulgated, namely, the Copyright Ordinance of 1962. This Ordinance was administered up to 1999. After that, a new law containing different provisions in the line of International standard

* Corresponding author: milondu97@yahoo.com
Senior Lecturer, Department of Law, Northern University Bangladesh (NUB)

was enacted in 2000, namely, the Copyright Act, 2000 (No 28 of 2000) and it was amended up to 2005. The Act (amended in 2005) contains, among others, the subject-matters of the TRIPS agreement in respect of copyright and related rights, computer programmers, database, cinema, broadcasting rights, performer's rights, phonograms rights etc.

Bangladesh has been extending co-operation with the World Trade Organization (WTO), World Intellectual Property Organization (WIPO) and UNESCO for enriching her copyright system². In Bangladesh the bases of present copyright protection are as follows:

- The Copyright Act, 2000 (herein referred to as the 2000 Act)
- The Copyright Rules, 2006
- The Berne Convention for the Protection of Literary and Artistic Works, 1886 as revised up to 1971 since May 4, 1999
- The Agreement on Trade-Related Aspects of intellectual Property Rights (herein referred to as TRIPS Agreement), 1994 since January 1995

Methodology

The paper shows the present situation of copyright and its protection under the present existing enactments of Bangladesh. In completing the paper I depended on the primary and secondary sources. The study is basically literary based with an overall combination of analytical reasoning. The article is based on the existing copyright laws, international agreements, different books, articles of prominent jurists, data of relevant organizations and web sites.

Result and Discussion

Copyrights- the meaning

Copyright is one kind of intellectual property. It is a right given by the law to the creators of literary (including computer programs), dramatic, musical and artistic works and producers of cinematograph films and sound recordings.

Under the 2000 Act, copyright means any right, to do or authorize the doing of any of the concerned acts in respect of a work thereof, namely³:

- i. **Literary, dramatic, or musical work except a computer program:** Reproducing the work in any material form, issuing copies of the work to the public, performing the work in the public, producing, reproducing, performing or publishing any translation of the work, broadcasting of the work or making any adaptation of the work;
- ii. **Computer program:** Doing any of the acts mentioned in the preceding paragraph and selling or giving on hire, or offering for sale or hiring any copy of the computer program;
- iii. **Artistic work:** reproducing the work in any material form, publicizing the work to the public, issuing copies of the work to the public, including the work in any cinematograph film, broadcasting of the work or making any adaptation of the work etc.;
- iv. **Cinematograph film:** Making a copy of the work, including a photograph of any image forming part thereof in vcp, vcr, dvd or any other form, or selling or giving on hire, or offering for sale or hiring any copy of the film in vcp, vcr, dvd or any other form and publicizing and displaying among general public any auditory or visual copy of the film in vcp, vcr, dvd or any other form ; and

² <http://www.copyrightofficebd.com>, Retrieved on 05.05.2012.

³ Section 14, the Copyright Act, 2000 (herein referred as to the 2000 Act)

- v. **Sound recording:** Making any other sound recording embodying it, or selling or giving on hire, or offering for sale or hiring any copy of the sound recording, or communicating the sound recording to the public etc.

Copyright protection covers expressions of ideas rather than the ideas themselves⁴. Under section 15 of the 2000 Act, copyright protection is conferred on original⁵ literary works, dramatic works, musical works, artistic works, cinematograph films and sound recording. It extends to the computer program also.⁶

Copyright refers to a bundle of exclusive rights vested in the owner of copyright.⁷ These rights can be exercised only by the owner of copyright or by any other person who is duly licensed in this regard by the owner of copyright. These rights include the right of adaptation⁸, right of reproduction, right of publication, right to make translations, communication to public etc.

Owner of the Copyright

The owner of copyright in a work is generally, at least in the first instance, the person who created the work, that is to say, the author of the work. There can be exceptions to this general principle. Such general recognition and exception are laid down under section 17 of the Act, 2000.

- If the author is employed by newspaper, magazine etc under a contract of service, the proprietor will be the first owner in the absence of an agreement to the contrary in the case of a literary, dramatic or artistic work.
- Where a photograph is taken or a painting or portrait drawn or an engraving or a cinematograph film made for valuable consideration at the instance of a person, such person is the first owner.
- Where any address or speech is delivered in public, the person delivering such address or speech is the first owner of it but another will be the first owner if it is made on behalf of him.
- In case of government work, the government is the first owner.
- In case of a work made or published by or under the direction or the control of any local authority, such authority is the first owner.
- In case of a work made or published to which, the provisions of section 68 of this Act, apply, by or under the direction or the control of any international organization, such organization is the first owner.
- In case of a computer program, the person or persons or institution appointed for creating the program, will be the first owner.

Copyright Protection

Copyright law protects only the form of expression of ideas, not the ideas themselves. It protects the owner of property rights against those who copy or otherwise take and use the form in which the original work was expressed by the author. The law may state that the author of an original work has the right to prevent other persons from copying or otherwise using his work. So a created work

⁴ Article 9.2, the TRIPS Agreement, 1994

⁵ Original means, that the work has not been copied from any other source.

⁶ Before the enactment of Copyright Act, 2000, copyright protection was not available to the computer program.

⁷ *Supra note 2*

⁸ Adaptation is generally understood as the modification of a work to create another work, for example, adapting a novel to make a film.

is considered protected as soon as it exists, and a public register of copyright protected works is not necessary.

In Bangladesh in order to get copyright protection the owner of the work should register it under Copyright Register. It is pertinent that under the 2000 Act, registration is optional; not compulsory to get copyright protection. At the same time it is also true that copyright protection is legally ensured to the copyright owner by registration; certificate of registration of literary, dramatic or artistic work is considered as a *prima facie* evidence when any dispute arises⁹. Any other person than a registered owner, can get copyright protection by grant of license either by voluntary or compulsory license or means of assignment. Here the provisions of infringement and remedies of copyright infringement also play an important role in providing copyright protection to the copyright owners.

Conditions for Getting Copyright Protection

Copyright comes into existence as soon as a work is created and no formality is required to be completed for acquiring copyright. However, facilities exist for having the work registered in the Register of Copyrights maintained in the Copyright Office under the Ministry of Culture Affairs. The certificate issued by the Registrar of Copyright constitutes *prima-facie* evidence of ownership of copyright. The Copyright Office has been set up to provide registration facilities to all types of works¹⁰ and is headed by a Registrar of Copyright and is located at National Library Building (2nd Floor), 32, Justice S. M. Morshed Sarani, Agargaon, Sher-e-Bangla Nagar, Dhaka.

In order to get copyright the owner has to show that the work is original; it is immaterial whether the work is wise or foolish, accurate or inaccurate or whether it has or has not any literary merit¹¹. In order to qualify for copyrights the works apart from being original, should satisfy the following conditions:

- (a) In the case of published work, it has to be published first in Bangladesh but if it is first published¹² in foreign country, the author must be a citizen of Bangladesh or domicile in Bangladesh at the date of publication, or where the author is dead at the time of publication and the work is published after his death, the author must be a citizen of Bangladesh or domicile in Bangladesh at the time of his death.¹³ It is important to note that if any work is published in Bangladesh and any other country simultaneously, the work should be considered to be first published in Bangladesh. The work shall be considered to be simultaneously published if the difference of days between the publication in Bangladesh and publication in any other country more than 30 days or the time fixed by the Government.¹⁴
- (b) In case of unpublished work, the author is on the date of making of the work a citizen of Bangladesh or domicile in Bangladesh. This does not apply to works of architecture.¹⁵
- (c) In the case of cinematographic work, the office or residence of the produce must be in Bangladesh at the time of making the work, the

⁹ Section 60, the 2000 Act

¹⁰ Work means a literary, dramatic, musical, artistic work or cinematograph film or sound recording or broadcasting as per section 2(11), the 2000 Act.

¹¹ Azam Mohammad Monirul (2008), Intellectual Property, WTO and Bangladesh, Dhaka: New Warsi Book Corporation, 1st edn, p. 193

¹² Publication means making a work available to the public by issue of copies or by communicating the work to the public as per section 3 of the Act, 2000.

¹³ Section 15 (2) (a), the 2000 Act

¹⁴ Section 5, *Ibid*

¹⁵ Section 15 (2) (b), *Ibid*

office or residence of the producer must be in Bangladesh at the time of making the whole or substantial part of the work.

- (d) In the case of any architectural artistic work, the work must be located in Bangladesh.¹⁶

Registration Procedure of Copyright:

Chapter 10 of the Act, 2000 and chapter 2 of the Copyrights Rules 2006 set out the procedure for the registration of a work. In order to get copyright registration, the author or publisher of, or the owner of, or other person interested in the copyright in any work can make an application to the Registrar for entering particulars of the work in the Register of Copyrights.¹⁷ The other steps for the registration are as follows:

- a. Application is to be made on Form II in triplicate as prescribed in the First Schedule of the 2000 Act;
- b. Separate application is to be submitted for registration of each work;
- c. Each application is to be accompanied by the prescribed fee mentioned in the Second Schedule of the Rules¹⁸;
- d. The applications should be signed by the applicant or the advocate in whose favour a Vakalatnama or Power of Attorney has been executed.
- e. To serve notice of concerned application to every person who has any interest in the subject matter of that application.
- f. If the Registrar receives any objection, he may after holding such inquiry as he deems fit, enter such particulars of work in the Register of Copyrights, and issue a certificate of such registration to the applicant. If he refuses to enter, he has to record in writing the reasons of refusal.¹⁹

Assignment

Assignment is the voluntary change of ownership. Copyright may be assigned. This means that the owner of the copyright transfers it to another person or entity, who becomes the owner of the copyright.

The owner of the copyright in an existing work or the prospective owner of the copyright in a future work may assign to any person the copyright wholly or partially and either generally or subject to limitation and either for the whole term of the copyright or any part thereof.²⁰

In order to assign a copyright the certain manner must be followed.²¹ The mode of assignment is in the following manner:

- (1) It shall be in writing signed by the assignor or by his duly authorized agent.
- (2) It shall identify the specific works and specify the rights assigned and the duration and territorial extent of such assignment.
- (3) It shall also specify the amount of royalty payable, if any, to the author or his legal heirs during the existence of the assignment.
- (4) The assignment shall be subject to revision, extension or termination based on terms mutually agreed upon by the parties.

¹⁶ Section 15 (2) (c), *Ibid*

¹⁷ Section 56, *Ibid*

¹⁸ The Copyright Rules 2006

¹⁹ Section 56, the Act, 2000

²⁰ Section 18, *Ibid*

²¹ Section 19, *Ibid*

- (5) Where the assignee does not exercise the rights assigned to him within a period of one year from the date of assignment, the assignment in respect of such rights shall be deemed to have lapsed after the expiry of the said period unless otherwise specified in the assignment.
- (6) If the period of assignment is not stated, the duration of the assignment shall be deemed to be five years from the date of assignment.
- (7) If the territorial extent of the assignment is not specified, it shall be presumed to be extended to the whole of Bangladesh.

However, the author of a work may relinquish all or any of the rights comprising the copyright in the work by giving notice in the prescribed form to the Registrar of Copyrights.²² As per section 20 of the 2000 Act, the Copyright Board is authorized to deal with any dispute regarding the assignment of copyright. In this case, the aggrieved assignor must make a complaint and on satisfaction, the Board may pass an order of revocation of assignment but not before the expiry of five years from the date of such assignment.

License

Licensing means that the owner of the copyright retains ownership but authorizes a third party to carry out certain acts covered by his economic rights, generally for a specific period of time and for a specific purpose. For example, the author of a novel may grant a license to a publisher to make and distribute copies of the novel. At the same time, the author may grant a license to a film producer to make a film based on the novel.

Under the 2000 Act there are provisions for transmitting copyright through license. Like an assignment of copyright, a license will be writing and can be limited in terms of either the scope or duration or both. If the duration and geographical limit is not in the license deed, then it will be presumed for five years and limited within Bangladesh.

Duration of Copyright Protection

Copyright does not continue indefinitely.²³ The law provides for a period of time, a duration, during which the rights of the copyright owner exist and at that time, the owner can exclusively enjoy the right. The duration begins from the creation of the work. The duration extends to some period after the death of the author with a view to enabling the author's successors to have economic benefits after his death and safeguarding the investments made in the production and dissemination of works.

In countries which are party to the Berne Convention, and in many other countries, the duration of copyright provided for by national law is the life of the author and not less than fifty years after the death of the author. In recent years, a tendency has emerged towards lengthening the term of protection.²⁴

In Bangladesh the term of copyright varies according to the nature of the work and whether the author is a natural person or a legal person e. g. a corporation, Government Institution, etc., or whether the work is anonymous or pseudonymous. Sections 24-32 of the 2000 Act deal with the term of protection as follows:

²² Section 22, *Ibid*

²³ WIPO Intellectual Property Handbook: Policy, Law and Use, WIPO Publication No. 489, p.50, p. 2.225

²⁴ *Ibid*

- In the case literary, dramatic, musical or artistic work other than a photograph when published during the lifetime of the author plus sixty years from the beginning of the calendar year next following the year in which the author dies.
- When the work is of joint authorship the sixty years period will commence after the death of the author, who dies last.
- In case of cinematograph film, sound recording, photograph, computer program or posthumous publications, the duration of protection is same; it is sixty years from the beginning of the calendar year next following the year in which such works are published.²⁵
- In the case of literary, dramatic, musical or artistic work other than a photograph which is published anonymously or pseudonymously, copyright shall subsist until sixty years from the beginning of the calendar year next following the year in which the work is first published. If the identity of the work is disclosed before the expiry of the sixty years, the protection shall subsist until sixty years from the beginning of the calendar year next following the year in which the author dies.
- Copyright protection for the work of Government or local authority is sixty years from the beginning of the calendar year next following the year in which such work is first published.²⁶

Apart from the protection of above mentioned works, Copyright Act also provides for the protection of broadcast reproduction rights for a term of twenty years from the beginning of the calendar year next following the year in which the broadcast is made²⁷ and protection of performer's rights, which extends to fifty years from the beginning of the calendar year next following the year in which the performance is made.²⁸

Infringement

Unauthorized copy, reproduction or use of copyright raises the question of infringement. In order to ensure exclusive right to the owner of a work, there must have certain provisions as regards infringement. Which acts create infringement if it is well defined by law; it will be easy on part of the owner to take action against the wrongdoer and thus protects the rights and interests of the owner.

The present law of copyright also ensures protection by inserting the provisions of infringement. Copyright in a work is deemed to be infringed:²⁹

When any person, without a license from the owner of the copyright, or the Registrar of the copyright, or in contravention of the conditions of a license granted or any conditions imposed by a competent authority under Act:

- (i) does anything, the exclusive right to do which is conferred upon the owner of the copyright; or
- (ii) permits for profit any place to be used for communicating the work to the public where such communication constitute an infringement of the copyright in the work, unless he *was* not aware and had no reasonable ground for believing that such communication to the public would be an infringement of copyright.

²⁵ Sections 25-28A, the 2000 Act

²⁶ Section 30-31, *Ibid*

²⁷ Section 33(2), *Ibid*

²⁸ Section 35(2), *Ibid*

²⁹ Section 71, *Ibid*

Copyright infringement may also arise if any person does any of the following acts³⁰:

- makes for sale or hire, or sells or lets hire or by way of trade displays or offers for sale or hire any infringing copies of the work or
- distributes, either for the purpose of trade or to such an extent as to affect prejudicially the owner of the copyright, any infringing copies of the work, or
- exhibits to public by way of trade any infringing copies of the work, or
- imports into Bangladesh any infringing copies of the work.

The present copyright law at the same time provides certain cases where no infringement can arise³¹. Several exceptions are as follows:

- (a) Fair use of a literary, dramatic, musical or artistic work for the purpose of private study or private use including research; or criticism or review.
- (b) Fair use of a literary, dramatic, musical or artistic work for the purpose of reporting current events in a newspaper, magazine, or similar periodical or in a cinematograph film or by means of photograph.
- (c) Reproduction for use in judicial proceedings and for use of members of the legislature etc.

Copyright Piracy

Piracy is considered to be the illegitimate use of materials held by copyright.³² The unauthorized copying or reproduction of copyright materials for commercial purposes and the unauthorized commercial dealing in copied materials is treated as copyright piracy. It affects all of the elements involved in the creation, production and distribution of intellectual works together constitute copyright system.³³ Piracy primarily targets software, film and music. However, the illegal copying of books and other text works remains common, especially for educational reasons. The Pirated copies usually sold at reduced prices, thereby undermining the original author's and investor's possibility of obtaining a just moral and economic reward for their work and investment and thus the author's and investor's lose their interest in creation new literary, dramatic or artistic work.

Copyright piracy is a great problem in Bangladesh. Here its rate is the highest amongst the world.³⁴ Most of the people do not realize that the copyright of a work (literary, artistic or dramatic) belongs to the creators; not to them; if they copy it without authorization, it constitutes an infringement or an offense.

Remedies

The enforcement obligations in the TRIPS Agreement provide a comprehensive foundation for the development of civil, administrative and criminal procedures and remedies necessary for effective enforcement against traditional forms of copyright piracy. Articles 41-61 of TRIPS Agreement provide enforcement provisions as regards copyright. Some of them are as follows:

³⁰ *Ibid*

³¹ Section 72, *Ibid*

³² Owen, Lynette (2001) Piracy *Association of Learned and Professional Society Publishers* 14(1) p. 67.

³³ WIPO (1988), Background Reading Material on Intellectual Property, WIPO Publication No. 659(E) p. 288

³⁴ International Intellectual Property Alliance (IIPA) 2009 Special Report on Copyright Protection and Enforcement

- (i) effective action against infringements, including expeditious remedies to prevent infringements and remedies which constitute a deterrent to further infringements (Article 41.1)
- (ii) adequate civil or administrative procedures and remedies, including the availability of civil injunctions (Article 44); the disposal or destruction of pirate goods (Article 46); and the disposal or destruction of materials and implements the predominant use of which has been in the creation of the infringing goods (Article 46).
- (iii) adequate criminal procedures, including deterrent penalties (Article 61); the availability of seizure, forfeiture and destruction of infringing goods (Article 61); and seizure, forfeiture and destruction of materials and implements the predominant use of which has been in the commission of the offense (Article 61).

In Bangladesh in compliance with the provisions of TRIPS Agreement, there are three kinds of remedies against infringement and piracy of copyright, namely:

i. Civil remedies

The owner of the copyright can bring civil action in which relieves such as Anton Pillar Order³⁵ or (Search Order) injunction, accounts and damages can be sought³⁶.

A suit or other civil proceedings relating to infringement of copyright is to be filed in the Court of District Judge³⁷, within whose jurisdiction the plaintiff resides or carries on business or where the cause of action arose irrespective of the place of residence or place of business of the defendant Civil suits provides remedy for claiming compensation for infringement of copyright and loss of profits as well.

Anton Pillar Order is very essential to prove the infringement. As a result the copyright office, in collaboration with custom authorities can inspect any vehicle, ship, air-craft, dock or premises on the basis or a complaint lodged by the owner of a copyright or his duly authorized agent and can take action to prevent importation of illegal copies.

ii. Criminal remedies

The Act also declares certain acts as offences³⁸:

- i. willful infringing or abetting the infringement of the copyright in a work other than in the case of cinematograph film; or
- ii. willful infringing or abetting the infringement of the copyright in a cinematograph film; or
- iii. infringing the copyright in a work of computer program, publishing it in any medium, selling or distributing it more than one copy; or
- iv. using an infringed copy in computer.

³⁵ Anton Pillar Order is in nature of interlocutory remedy which would allow a victim of copyright infringements to enter the premises of the infringer and seize the infringed articles including instruments of infringement. This remedy was first given to a British case- *Anton Piller v Manufacturing Process*.

³⁶ Section 76, the 2000 Act

³⁷ Section 81, *Ibid*

³⁸ Sections 82-84, *Ibid*

The present Act provides criminal remedies under above circumstances for the imprisonment of the accused or imposition of fine or both, seizure of infringing copies etc in the following ways:

Firstly: The infringement of copyright is a cognizable offence and is punishable with imprisonment for a period extending from six months to four years and a fine ranging from Tk. 50,000/- to Tk. 2,00,000/-.³⁹

Secondly: The Act provides for seizure of infringing copies and confiscation of all duplicating equipments used for manufacturing counterfeit copies.⁴⁰ However, if the court⁴¹ is satisfied that infringement is committed without having an intention for profit or non-commercial purpose, the court may give lesser punishment, which may be imprisonment for less than six months and fine for less than 50, 000 taka.

Thirdly: In case of piracy of computer programs, the amount of fine is extended by an amendment to the Copyright Act on May 18, 2005, which is now minimum Tk 1, 00000 and maximum Tk. 4, 00000, if it is committed for commercial purpose.⁴² However, in case of mere use of infringing copy or if the court is satisfied that it is committed for non-commercial purpose; the court may impose lesser punishment and lesser fine as well.

iii. Administrative remedies

Administrative remedies consist of moving to the Registrar of copyrights to ban the import of infringing copies into Bangladesh, when the infringement is by way of such importation and the delivery of the confiscated infringing copies to the owner of the copyright. Counterfeit/ pirated goods, can, if it is proved by the court as an act of infringement, be destroyed by the administrative authority.⁴³

Recommendation

Copyright Piracy is a great challenge in ensuring copyright protection in a country. The present laws of copyright are compliance with international laws or agreements but in spite of that piracy rate is the highest in Bangladesh amongst the world. Lack of awareness and proper implementation of the laws are mainly liable to such position. International Intellectual Property Alliance (IIPA) requests Bangladesh Government to take the following actions, which would result in the most significant near term commercial benefits to the copyright industries:

- Establish an anti-piracy force and take actions (including *ex officio*) against book piracy at photocopy shops and those who engage in offset printing and against rampant CD, DVD, CD-R, DVD-R and CD-ROM piracy.
- Establish a cell within the Bangladeshi Customs to intercept imports and exports.
- Inspect all optical disc plants, collecting exemplars and closing down plants engaged in piracy, seizing pirate discs and materials, and prosecuting owners and managers of pirate plants.

Further following steps should be taken to improve the present situation of copyright piracy:

- Introducing basic concept on copyright to the undergraduates courses in universities;

³⁹ Section 82, *Ibid*

⁴⁰ Section 93, *Ibid*

⁴¹ Court of sessions

⁴² Section 84, the 2000 Act

⁴³ <http://www.thedailystar.net/law/2006/02/01/education.htm>, Retrieved on 05.08.2012.

- Creating awareness through seminar, symposiums and national workshops among the all classes educated people of the country;
- Establishing copyright courts, at least, in the divisional level and training the judges and thus making the experts;
- Developing mechanism to ensure speedy and cheap resolution of disputes and litigation by infringement;
- Employing special teams of the members of law forces for the implementation of the copyright laws and training them.

Conclusion

The Act 2000, the (Amendment) Act, 2005 and the Rules 2006 are passed in order to ensuring standard protection to the creators of copyrights in compliance with the international aspects. Before these laws, there was no copyright protection towards the computer software; there were no instances which would amount to infringement of the copyright in computer software. The present laws ensure protection to the computer program or software. They also provide search order or interlocutory orders. We can say that the present law maintains the standard level. But we still have to go a long way in terms of awareness, utilization and practice of copyright. In case of software piracy, Bangladesh is one of the highest rated countries in the world. In order to strengthen copyright protection or to reduce the piracy rate, here it is important that every educated citizen must have awareness and a basic understanding of the notion of copyright. It can be said that citizens' understanding of copyright helps to develop the country's unique cultural activity. Proper implementation of copyright laws, incorporating cyber laws in the copyright laws and increasing respect for copyright must bring cultural and economical development to the country which will make us as a civilized nation.

References

1. Azam (2008), Intellectual Property WTO and Bangladesh (1st ed), (pp188-213), Dhaka: New Warsi Book Corporation
2. Cornish W. R., (1996), Intellectual property: Patents, Copyright, Trademarks and Allied Rights, (3rd ed), (pp 297-481), Sweet & Maxwell: London
3. Patterson (1968), *Copyright in Historical Perspective*. Vanderbilt University Press. ISBN 0-8265-1373-5.
4. Rosen (2008), *Music and Copyright*. Oxford Oxfordshire: Oxford University Press. ISBN 0-19-533836-7.
5. Shipley (2007), Thin But Not Anorexic: Copyright Protection for Compilations and Other Fact Works UGA Legal Studies Research Paper No. 08-001; Journal of Intellectual Property Law, Vol. 15, No. 1.
6. Steinberg & John (1996). *Five Hundred Years of Printing* (4th ed.). London and New Castle: The British Library and Oak Knoll Press. ISBN1-884718-19-1.
7. Watal (2000), Intellectual Property Rights in the WTO and Developing Countries, (1st ed), (pp 207-242), Oxford University Press: New Delhi
8. WIPO (1988), Background Reading Material on Intellectual Property, (pp207-264), WIPO Publication No. 659(E).