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What is copyright?

Copyright is a legal term used to describe the rights the creators hold on their literary, artistic or scientific works. Works protected by copyright and related rights, range from novels, poetry, music, pictures and movies, to computer programs, databases, technical drawings, sculptures and other original works.

For example artistic works are protected throughout the life of the author and for 70 years after death, excluding rights on the work of applied art, which is protected for 25 years from the date of its creation.

Copyright protection ensures that no one else can use the work without your permission

Below are three objects of copyright or related rights that your company already owns and for which you may undertake measures to protect them:

- **Databases**

Every company has a certain compilation of data or other materials, arranged systematically or methodically, accessible by electronic means or otherwise, that may be protected by copyright. The company that proves that it made a substantial investment qualitatively and/or quantitatively in the obtaining, verification or presentation of the contents of a database is considered its producer and has the right to prohibit extraction and/or re-use of the whole content or a substantial part of this database.

The legislation in the field provides that the rights of producers of databases are protected for 15 years from January 1 of the year following that when the database was made available to the public for the first time.

The benefits of protection of the rights of producers of databases are applied to legal entities established under the legislation of the Republic of Moldova, having its registered office, the management or principal place of business in the Republic of Moldova. Databases made in other countries and whose manufacturer is not Moldovan citizen or legal entity is not established in accordance with national legislation of RM, is protected under international treaties to which the Republic of Moldova is party.

If you determine that a former employee, hacker or competitor misuses the database, then you can submit an application to the court to stop the illegal exploitation thereof.

- **Computer programs**

IT sector forms a growing part of the economy. Thus, increases the risk of appearance of disputes related to the misuse or illegal assignment of the source code.

Computer programs and other software, including mobile applications, are protected as literary works.

It is recommended that before creating a source code by the programmer, to be concluded in writing a contract by which economic rights will belong to the company that will operate the business and not the programmer.

In case the mission entrusted to the author (programmer) results from his duties, the property right

on the created software (service work) shall belong to the employer (in this case, the company), unless otherwise agreed.

- **Websites, brochures, catalogs**

Any original content - for example, a text, a scenario, a work of art, photos, video clips - you have created and posted on your website may be protected by copyright.

Currently, we are all exposed to the risk that the information we publish on the internet to be copied. If someone else wants to use your work, he must necessarily ask your agreement to exploit the work.

Once a work is yours, you can provide an “agreement” to others for the use or exploitation of the work. The exclusive economic rights can be transferred by assignment or license contract (exclusive or nonexclusive) which must be concluded in writing and provide the specific right transmitting the term of validity, territory of action of the right, the amount of remuneration or the calculation basis thereof and other terms which the parties consider essential. Of course, request of specialized legal assistance is always recommended prior to contract negotiation.

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