

**Law on Copyright and Neighboring Rights and Enacting Other Provisions****(Law No. 15 of August 8, 1994)***

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Title I General Provisions

1. The provisions of this Law are inspired by considerations of well-being and the public interest, and they shall protect the rights of authors in their literary, educational, scientific or artistic works, whatever the type, manner of expression, merit or purpose thereof.

The rights recognized shall be independent of the ownership of the physical object in which the work is embodied, and shall not entail compliance with any formality. Enjoyment of the rights deriving from this Law shall require proof of entitlement thereto.

The neighboring rights referred to in this Law shall likewise be protected. Any action claiming the benefits of copyright shall have effect in the future.

2. For the purposes of this Law, the following expressions shall have the meanings given them:

1. “author” means the natural person who makes the intellectual creation;
2. “competent authority” means the Directorate General of Copyright except where this Law expressly states otherwise;
3. “performer” means the person who performs, sings, reads, recites, interprets or otherwise executes a work;
4. “communication to the public” means any act by which the work is made accessible to the public by any means or process, as provided in this Law, that does not consist in the distribution of copies; the entire process necessary and appropriate for making the work accessible to the public shall constitute communication;
5. “copy” means any material manifestation of the work embodied in any kind of physical medium as a result of an act of reproduction;
6. “successor in title” means any person, whether natural person or legal entity, to whom rights recognized by this Law are transferred;
7. “distribution to the public” means the making available to the public of the original or a copy of the work by sale, rental, lending or any other means;
8. “disclosure” means the act of making the work accessible to the public by any means or process;
9. “publisher” means the person, whether natural person or legal entity, who, under a contract with the author or his successor in title, undertakes to effect the publication and dissemination of the work on his own account;
10. “broadcasting” means the sending of sounds or images and sounds over a distance for reception by the public;
11. “expressions of folklore” means productions of characteristic elements of the traditional cultural heritage, constituted by the whole store of literary and artistic works



created on the national territory by unknown or unidentified authors presumed to be nationals or to belong to the country's ethnic communities, and which are handed down from generation to generation and reflect the traditional artistic or literary aspirations of a community;

12. "fixation" means the incorporation of signs, sounds or images in a physical medium that allows them to be perceived, reproduced or communicated;

13. "phonogram" means any fixation solely of the sounds of a performance or of other sounds; phonograph records and magnetic-tape recordings shall be copies of phonograms;

14. "work" means an original intellectual creation of artistic, scientific or literary character that is susceptible of disclosure or reproduction in any form;

15. "anonymous work" means a work in which the identity of the author is not revealed by his own choice;

16. "audiovisual work" means any creation expressed by means of a sequence of associated images, with or without integral sound, intended essentially for showing by means of projection apparatus or any other means of communicating images and sounds, independently of the characteristics of the physical medium in which it is embodied;

17. "work of applied art" means an artistic creation that has utilitarian functions or is incorporated in a useful article, whether a work of handicraft or an object produced on an industrial scale;

18. "individual work" means a work created by a natural person;

19. "unpublished work" means a work that has not been disclosed with the consent of the author or his successors in title;

20. "work of joint authorship" means a work created jointly and interdependently by two or more natural persons;

21. "collective work" means a work created by two or more authors under the responsibility of a person, whether natural person or legal entity, who publishes it in his own name, and in which, owing to the number of contributions by the participating authors or the indirect nature of those contributions, the said contributions merge into the whole work in such a way that it is impossible to distinguish between the various contributions by the participating authors involved in the creation of the work;

22. "derived work" means a work based on another, preexisting work and subject to the rights of the author of the original work and the relevant authorization, the originality of which lies in the adaptation or transformation of the preexisting work or in the creative elements of its translation into a different language;

23. "original work" means the work originally created;

24. "three-dimensional work" or "work of fine art" means a work the purpose of which is to appeal to the senses of the person contemplating it;



25. “broadcast work” means a work specially created for transmission by radio or television;

26. “pseudonymous work” means a work whose author makes use of a pseudonym that does not identify him; a work in relation to which a name is used that leaves the civil identity of the author in no doubt shall not be considered a pseudonymous work;

27. “broadcasting organization” means the radio or television organization that transmits programs to the public;

28. “producer” means the person, whether natural person or legal entity, who takes the initiative and exercises the coordinating functions and responsibility in the making of a work, for instance, an audiovisual work or a computer program;

29. “producer of phonograms” means the person, whether natural person or legal entity, on whose initiative and responsibility and under whose coordination the sounds of a performance or other sounds are first fixed;

30. “computer program” means a set of instructions expressed in words, in code or in graphic or any other form which, on being incorporated in an automated reading device, is capable of causing a computer or similar electronic apparatus with information-processing capabilities to carry out or achieve a particular task or result;

31. “publication” means the production of copies to be placed at the disposal of the public with the consent of the owner of the rights involved, provided that the availability of such copies is such as will satisfy the reasonable needs of the public, due account being taken of the nature of the work;

32. “reproduction” means the fixing of the work on a medium that allows it to be communicated for the making of copies of all or part of the said work;

33. “reprographic reproduction” means the making of facsimile copies of originals or duplicates of a work by means other than printing, such as photography;

34. “ownership” means the status of owner of the rights recognized by this Law;

35. “original ownership” means ownership arising from the act of creation of a work;

36. “derived ownership” means that which arises from circumstances other than the act of creation, namely, either by engagement or legal presumption, *inter vivos* assignment or transfer by succession;

37. “lawful uses” means uses that do not interfere with the normal exploitation of the works concerned or prejudice the legitimate interests of the author provided for in Title V;

38. “personal use” means the reproduction or other use of another’s work in a single copy, solely for individual purposes in circumstances such as research and personal entertainment;



39. “videogram” means an audiovisual fixation incorporated in a cassette, disc or other material medium.

Title II Ownership of Copyright

3. The author is the original owner of the moral and economic rights in the work as recognized by this Law.

In the absence of proof to the contrary, that person shall be presumed to be the author whose name, signature or identification mark appears as such on the work.

Where the work is disclosed anonymously or under a pseudonym, the exercise of the rights shall fall to the person, whether natural person or legal entity, who discloses it with the consent of the author for as long as the latter does not reveal his identity.

4. The co-authors of a work of joint authorship shall together be the original owners of the moral and economic rights in the work.

However, where the contribution of each co-author belongs to a different genre, they may all, unless otherwise agreed, exploit their personal contributions separately, provided that this does not prejudice the exploitation of the joint work.

5. It shall be presumed, unless otherwise agreed, that the authors of a collective work have transferred the unlimited and exclusive ownership of the economic rights in the said work to the person, whether natural person or legal entity, who publishes it under his own name, which person shall likewise be entitled to exercise the moral rights in the work.

6. In the case of works created by a natural person or legal entity in compliance with an employment contract or in the performance of a public function, the author shall be the original owner of the moral and economic rights, but it shall be presumed, unless otherwise agreed, that the economic rights in the work have been assigned to the employer or to the public body, as the case may be, to the extent determined by his or its usual activities at the time of the creation of the work, including implicit authorization to disclose the work and exercise the moral rights where necessary for the exploitation thereof.

Title III Subject Matter

7. The subject matter of copyright is the work, as the result of intellectual creation. The following in particular shall be considered included among works protected by law: works expressed in writing, including computer programs, lectures, addresses, sermons and other works consisting of works expressed orally; musical compositions with or without words, dramatic and dramatic musical works, choreographic and mimed works, audiovisual works, regardless of the physical medium or process used; photographic works and works expressed by a process analogous to photography; works of fine art, including paintings, drawings, sculptures, engravings and lithographs; works of architecture, works of applied art,



illustrations, maps, plans, sketches and works relating to geography, topography, architecture or science; and, finally, any literary, artistic, educational or scientific production susceptible of disclosure or publication by any means or process.

8. Without prejudice to the rights in the original work, protection shall also be extended to translations, adaptations, transformations or arrangements of works or expressions of folklore, and also anthologies or compilations of assorted works and data bases which, by reason of the selection or arrangement of their subject matter, constitute personal creations.

9. The protection recognized by this Law shall not extend to the texts of laws, decrees, official regulations, public treaties, judicial rulings and other official enactments, or to objective expressions of folklore, daily news or simple facts and data.

Title IV **Special Provisions for Certain Works**

Chapter I *Audiovisual Works*

10. In the absence of proof to the contrary, the following shall be deemed co-authors of an audiovisual work of joint authorship:

1. the director or maker;
2. the author of the plot;
3. the author of the adaptation;
4. the author of the screenplay and dialogue;
5. the author of the music specially composed for the work;
6. the author of the drawings, in the case of animated cartoons.

Where the audiovisual work has been taken from a preexisting work that is still protected, the author of the original work shall be on an equal footing with the authors of the new work.

11. Unless otherwise agreed between the co-authors, the director or maker shall exercise the moral rights in the audiovisual work, without prejudice to those belonging to the other co-authors in relation to their own contributions, or to those that may be exercised by the producer in accordance with this Law.

12. If one of the co-authors refuses to complete his contribution or is prevented from doing so by circumstances beyond his control, he may not object to the completed portion of his contribution being used for the completion of the whole work, provided that this shall not prevent him from retaining the authorship of his contribution and enjoying the rights deriving therefrom.

Unless otherwise agreed, each of the co-authors may freely dispose of the part of the work constituting his personal contribution for exploitation in a different genre within the limits laid down in the last paragraph of Article 4.

13. The audiovisual work shall be considered completed when the final version or master print has been made in accordance with the agreement between the director and producer.

14. Without prejudice to the provisions of Article 105, it shall be presumed, in the absence of proof to the contrary, that the producer of the audiovisual work is the person, whether natural person or legal entity, who is identified as such on the work.

15. Unless otherwise agreed, the contract between the authors of the audiovisual work and the producer shall imply unlimited and exclusive assignment to the latter of the economic rights recognized by this Law, and also authorization to decide on the disclosure of the work.

Without prejudice to the rights of the authors, the producer may, unless otherwise provided, exercise in his or its name the moral rights in the audiovisual work to the extent necessary for the exploitation thereof.

16. The provisions contained in this Chapter shall be applicable by analogy to broadcast works.

Chapter II Computer Programs

17. Without prejudice to the provisions of Article 107, it shall be presumed, in the absence of proof to the contrary, that the producer of a computer program is the person identified as such on the work in the customary manner.

18. Unless otherwise agreed, the contract between the authors of the computer program and the producer shall imply limited, exclusive assignment to the latter of the economic rights recognized by this Law, and also authorization to decide on the disclosure of and exercise the moral rights in the work to the extent necessary for the exploitation thereof.

Chapter III Works of Architecture

19. The author of a work of architectural design, or designer, may not object to any alterations that prove necessary in the course of the construction of the work or thereafter, but the author of the architectural work shall be consulted on the alternations that become necessary during or after construction, and shall be given preference for the design and execution thereof.

In any event, if the alterations are made without the consent of the designer, the latter may deny authorship of the altered work and the owner shall be prohibited from mentioning the name of the author of the original project in the future, without prejudice to the imposition of the sanctions provided for in this Law.



Chapter IV
Three-Dimensional Works

20. Unless otherwise agreed, the contract for the disposal of the material object in which a work of fine art is embodied shall confer on the acquirer the right to display the work in public, either free of charge or for consideration.

21. In the event of resale of three-dimensional works either by public auction or through a professional art dealer, the author and his heirs or legatees shall, throughout the period referred to in Article 42, enjoy the inalienable and unrenounceable right to charge the vendor a minimum of 2 percent of the resale price.

The resale royalty provided for in this Article shall be collected and distributed by the collective administration organization.

22. The portrait or bust of a person may not be placed on the market without the consent of the person, or on his death that of his successors in title. Publication of the portrait or bust shall, however, be free where it relates to scientific or cultural purposes in general, or where it relates to facts or events that are public or in the public interest.

Chapter V
Press Articles

23. Unless otherwise agreed, the assignment of articles for newspapers, magazines or other mass communication media shall confer on the publisher or owner of the publication only the right to insert the article once, all the other economic rights of the assignor remaining reserved.

24. Where the assigned article is to appear under the name or pseudonym of the author, the assignee may not amend it. If the publisher or owner of the communication medium amends it without the consent of the assignor, the latter may demand the insertion of the article assigned in its complete and unamended form, without prejudice to the right to seek indemnification.

Where the assigned article is to appear without the name of the author, the publisher or owner of the communication medium may make amendments or changes of form to it without the consent of the assignor.

25. The provisions of this Chapter shall apply by analogy to drawings, cartoons, graphic material, photographs and other works susceptible of publication in newspapers, magazines or other mass communication media.



Title V Content

Chapter I General Provisions

26. The author of a work shall, by the mere fact of the creation thereof, have original ownership of the rights in the work, which shall themselves comprise the rights of moral and economic character specified in this Law.

The rights referred to shall be independent of the ownership of the material medium in which the work is embodied, so that the disposal of the said medium shall in no way imply any assignment of rights to the acquirer, unless this Law expressly so provides.

27. Copyright may subsist in translations and other derived works even where the original works are no longer protected, but it shall not confer any exclusive right in the said original creations, so that the author of the derived work may not object to the translation, adaptation, alteration or abridgment of the original works by others, provided that this results in original works different from his own.

28. The title of a work that effectively identifies the said work may not be used without its author's consent to identify another work of the same kind where there is a risk of confusion between the two.

Chapter II Moral Rights

29. The moral rights recognized by this Law shall be inalienable, unattachable, unrenounceable and imprescriptible.

On the author's death, the moral rights specified in Articles 31, 32, 33 and 34 and provisions referring thereto shall be exercised by his heirs during the term provided for in Article 42, in the absence of testamentary provision to the contrary.

The moral rights in collective works, those created under an employment contract or in pursuance of a public duty, audiovisual works and computer programs may be exercised, as appropriate, by the person who publishes them in his name, by the employer or public body or by the producer, to the extent specified in Articles 5, 6 and 18 of this Law.

30. The author shall have the following moral rights:

1. the right of disclosure;
2. the right of authorship;
3. the right to the integrity of the work;
4. the right of access;

5. the right to revoke an assignment or withdraw the work from circulation.

31. The author shall have the exclusive right to decide on the full or partial disclosure of the work and, if it is to be disclosed, the manner in which the disclosure is to take place.

No one may, without the author's consent, reveal the essential contents of the work before the author has done so or before the work has been disclosed.

32. The author shall have the right to be recognized as such, by requiring that the work contain the appropriate information, and to decide whether disclosure is to take place under his name or a pseudonym or sign or anonymously.

33. The author shall have the right to prohibit the acquirer of the material object in which the work is embodied from distorting, amending or altering it in any way that might jeopardize the reputation of the work or his own reputation as an author.

34. The author may demand that the owner of the sole copy of the work grant him access thereto in the manner that best suits the interests of each, with a view to the exercise of the other moral or economic rights accorded him by this Law.

35. Even after the disclosure of the work, the author shall have the right, vis-à-vis the assignee of his rights, to revoke the assignment and demand the withdrawal of the work from circulation; he may not, however, exercise this right without first providing indemnification for damages and prejudice caused the assignee thereby.

Chapter III Economic Rights

36. The author shall likewise have the exclusive right to exploit the work in any form and derive profit from it in all but the exceptional cases expressly provided for in this Law.

Economic rights are not attachable, but the benefits derived from exploitation are, and shall be considered income for the purposes of any privileges provided for by law.

Economic rights shall in particular include the right of amendment, communication to the public, reproduction and distribution, and each of them, and the procedures associated therewith, shall be mutually independent.

37. The author shall have the exclusive right to make or authorize translations and also adaptations, arrangements and other transformations of his work.

38. The following in particular shall be acts of communication to the public:

1. stage performances, recitations, analyses and public renderings of dramatic, dramatico-musical, literary and musical works in any form and by any process;

2. the public projection or display of audiovisual works;

3. the broadcasting of a work by radio or any other medium used for the wireless dissemination of signs, sounds or images;



4. the transmission of any work to the public by wire, cable, optic fiber or other comparable process;
5. the retransmission of the broadcast or televised work by any of the means identified in the foregoing subparagraphs by a broadcasting organization different from the original one;
6. the receiving of the work broadcast by radio or television, by any appropriate process, in a place accessible to the public;
7. the public presentation or display of works of art or reproductions thereof;
8. public access to computer data bases by telecommunication where the data bases incorporate or constitute protected works;
9. the dissemination of signs, words, sounds or images by any process that is known or may be known in the future.

39. Reproduction shall include any act whose purpose is the physical fixation of the work by any means or process, or the production of copies of all or part of it, among other things by printing, drawing, engraving, photography, modelling or any process of graphic and three-dimensional art, and also by mechanical, electronic, phonographic or audiovisual recording.

40. Distribution shall include the author's right to authorize or not to authorize the making available to the public of copies of his work by means of sale or any other form of transfer of ownership, rental or any form of use for consideration.

However, when the authorized marketing of copies takes place by sale, the aforesaid right shall lapse, except as provided in Article 21, but the owner of the economic rights shall retain the rights of amendment, communication to the public and reproduction, and also the right to authorize or not to authorize the lending of copies.

41. Except where this Law expressly provides otherwise, any public amendment or total or partial reproduction or distribution of the work shall be unlawful without the consent of the author or, where applicable, of his successors in title.

Title VI Term and Limitations

Chapter I Term

42. Economic rights shall subsist for the life of the author and 50 years following his death, and shall be transferred *mortis causa* in accordance with the provisions of the Civil Code.

In the case of a work of joint authorship, the term shall be calculated from the death of the last surviving co-author.



43. In the case of anonymous and pseudonymous works, the term shall be 50 years from the year of the disclosure thereof, except where the author reveals his identity before the said term expires, in which case the provisions of the foregoing Article shall be applicable.

44. In the case of collective works, computer programs and audiovisual works, economic rights shall lapse after 50 years following first publication or, failing that, following completion. This limitation shall not affect the economic rights of each of the co-authors of the audiovisual work in their personal contributions, as provided in the second paragraph of Article 4.

45. The terms laid down in this Chapter shall be calculated from January 1 of the year following that of the death of the author or that of the disclosure, publication or completion of the work, as appropriate.

46. The lapse of economic rights shall cause the work to pass into the public domain.

Works in the public domain may be used by any interested party insofar as the authorship and integrity of the work are respected as provided in Articles 32 and 33.

Chapter II Limitations

47. The following shall be lawful communications without authorization from the author or payment of remuneration:

1. those made in the family circle, provided that there is no direct or indirect profit-making purpose;
2. those made with a view to the general interest in the course of official events and religious ceremonies, provided that the public may attend them free of charge and none of the participants in the communication is paid specific remuneration for his involvement in the event or ceremony;
3. those shown to be for exclusively educational purposes in teaching establishments, provided that they are communications without gainful intent;
4. those that are made for the blind and for other handicapped persons, provided that those persons are able to attend the communication free of charge and none of the participants is paid specific remuneration for his involvement in the act;
5. those that are made in trading establishments solely for the demonstration of receiving, reproduction or other similar apparatus to customers, or for the sale of the sound or audiovisual media in which the works are embodied;
6. those made because they are essential to the production of judicial or administrative evidence.

48. With regard to works that have already been lawfully disclosed, the following shall be allowed without authorization from the author or remuneration:



1. the reproduction in one copy of the work by the prospective user with his own facilities and for his personal and exclusive use;
 2. photomechanical reproductions, such as photocopies and microfilm, for exclusively personal use, provided that they are confined to small portions of a protected work or to works that are out of print; any use of pieces reproduced by any means or process for other than personal purposes that is made in competition with the author's exclusive right to exploit his work shall be treated as unlawful reproduction;
 3. the reproduction by reprographic means of articles or extracts from lawfully published short works for teaching or the holding of examinations at educational establishments, provided that there is no gainful intent and to the extent justified by the aim pursued, and on condition that the use is made in accordance with proper practice;
 4. the reproduction in single copies of a work by non-profit-making libraries or archives where the original forms part of the permanent stocks, for its preservation and replacement where necessary, or for the replacement, in the permanent stocks of another library or archive, of a copy that has been mislaid, destroyed or rendered unusable, where it is not possible to acquire such a copy in a reasonable time and on reasonable terms;
 5. the reproduction of a work for the purpose of judicial or administrative proceedings, if proof is given of the aim pursued;
 6. the reproduction of a work of art on permanent display in a street, square or other public place by means of an artistic technique different from that used for the making of the original; with regard to buildings, this exception shall be confined to the outer façade;
 7. the reproduction in a single copy of a computer program exclusively for backup or safety purposes;
 8. the loading of the computer program in the memory of the computer for the purposes of the user alone.
- 49.** It shall be permissible, without authorization from the author or payment of remuneration, to make quotations from lawfully published works, subject to the obligation to name the author and the source and on condition that the quotations are made in conformity with proper practice and to the extent justified by the aim pursued.
- 50.** The following shall likewise be lawful without authorization or remuneration, provided that the author and source are named:
1. reproduction and distribution in the press, or transmission by any medium, of topical articles on economic, social, artistic, political or religious matters published in mass communication media, provided that reproduction or transmission have not been expressly reserved;
 2. the dissemination of information on current events by sound or audiovisual media, and of images or sounds of the works seen or heard in the course of the said events, to the extent justified by the informatory purpose;

3. the dissemination in the press or transmission by any medium, as news items, of speeches, debates, addresses, sermons and other works of similar character presented in public, and also addresses delivered in the course of judicial proceedings, when this is justified by the informatory purposes pursued and without prejudice to the right, retained by the authors of the works disseminated, to publish them individually or in the form of a collection.

51. It shall be lawful for broadcasting organizations, without authorization from the author or payment of special remuneration, to make ephemeral recordings, using their own facilities and for use in their own broadcasts, of a work that they have the right to broadcast. The broadcasting organization must, however, destroy the recording within six months of the time of its making, except where a longer period has been agreed upon with the author. The recording may nevertheless be preserved in official archives when it has exceptional documentary character.

52. It shall be lawful, without authorization from the author or payment of special remuneration, for a broadcasting organization to transmit or retransmit publicly, by cable, a work originally broadcast by it with the consent of the author, provided that the transmission or retransmission to the public takes place at the same time as the original broadcast and the work is transmitted unaltered by broadcasting or transmission to the public.

53. Adaptation of a computer program carried out by the user himself for his own exclusive use shall not constitute alteration for the purposes of Article 37 of this Law.

Title VII Transfer of Rights

Chapter I General Provisions

54. Economic rights may be transferred by mandate or legal presumption, in the form of an assignment *inter vivos* or transfer *mortis causa*, by any means admissible in law.

55. Any assignment *inter vivos* shall be presumed to have been made for consideration, unless expressly agreed otherwise.

The assignment shall relate only to the right or rights assigned, to the forms of exploitation expressly mentioned in the contract and to the agreed period and territorial scope.

The right assigned shall revert to the assignor on the lapse of the rights of the assignee.

56. Any assignment of economic rights in all the works that an author may create in the future, and any provision under which the author undertakes to create no works in the future, shall be null and void.

57. Unless expressly provided in this Law or by contract, assignment shall not confer any exclusive right on the assignee.



58. Unless otherwise agreed, the transfer of rights by the assignee to a third party by virtue of an act *inter vivos* may not take place without the consent of the assignor, given in writing.

The consent of the assignor shall not be necessary, however, where the transfer takes place as a result of the dissolution or change of ownership of the assignee where it is a legal entity.

59. The remuneration for an assignment effected for consideration shall be agreed upon between the parties, and may be either a fixed amount or a proportion of the income derived by the assignee from the exploitation of the work, at a rate specified in the contract.

60. Any disputes that arise between the assignor and assignee shall be settled in summary proceedings under the Judicial Code unless the parties agree to settle them by arbitration.

61. The owner of economic rights may likewise grant third parties simple licenses for use, which shall be non-exclusive and intransferable and shall be governed by the clauses of the contract concerned and the provisions on the assignment of rights insofar as they are applicable.

62. Contracts for the assignment of economic rights and contracts granting licenses for use shall be evidenced in writing.

Chapter II Publishing Contract

63. A publishing contract is a contract by which the author, his successors in title or assignees assign to another person, called the publisher, the right to publish, distribute and disclose the work on his own account.

In the case of the publication of scientific works, dictionaries, anthologies or encyclopedias, prefaces, notes, introductions and presentations, illustrations for a work, reduced-price popular editions or translations, provided that the translator so requests, fixed remuneration may be stipulated.

64. The publishing contract shall specify:

1. the identity of the author, publisher and work;
2. whether or not the work is unpublished;
3. whether the publishing assignment is exclusive in character;
4. the number of editions authorized;
5. the period within which copies of the edition are to be put into circulation;
6. the number of copies constituting the edition;



7. the copies that are reserved for the author, for critical review and for the promotion of the work;

8. the author's remuneration, calculated in accordance with this Law;

9. the period within which the author has to deliver the original of the work to the publisher;

10. the quality and other characteristics of the edition;

11. the manner in which the selling price of copies is to be set.

65. In the absence of any express provision in the contract, it shall be understood that:

1. the work has already been published before;

2. the publisher is not granted any exclusive rights;

3. the publisher is assigned the right to make one edition, which shall be available to the public within one year calculated from the delivery of the original to the publisher in a suitable condition for reproduction of the work to take place;

4. the minimum number of copies constituting the first edition shall be 2,000;

5. the number of copies reserved for the author, for critical review and for promotion shall be 5 percent up to a maximum of 75 copies of the edition, allocated proportionally to each use;

6. the remuneration of the author shall not be less than 20 percent of the public selling price of each copy;

7. the author shall deliver the original of the work to the publisher within 90 days following the date of conclusion of the contract;

8. the edition shall be of average quality, according to custom and practice;

9. the price of the copies sold to the public shall be set by the publisher.

66. The publisher shall be under the following obligations:

1. to publish the work in the agreed form without any amendment to which the author has not agreed;

2. to mention on every copy the title of the work, the name or pseudonym of the author and of the translator, except where the latter insist on publication being anonymous, the notice of the author's reserved rights, with the year of first publication preceded by the circled C symbol, the year and place of publication and of previous editions, if any, the name and address of the publisher and printer and the number of copies published;

3. to submit the complete final copy to the author for approval, unless otherwise agreed;



4. to distribute and disseminate the work within the time and on the terms stipulated, and in conformity with established customs;

5. to pay the agreed remuneration to the author; where the remuneration is to be proportional, he shall pay the author the amounts accruing to him half-yearly, except where a shorter period is agreed upon; where the remuneration is to be fixed, it shall be payable from the moment at which the copies are available for distribution and sale;

6. to submit to the author, according to the terms indicated in the foregoing subparagraph, a statement of account giving the date and print-run of the edition, the number of copies sold and set aside for placing, and also the number of copies left unsold or destroyed by accident or unforeseen circumstances;

7. to allow the author to verify the documents and evidence submitted in support of the statements of account, and to inspect the depositories in which the copies of the edition are kept;

8. to carry out the procedures laid down by the parties for print-run verifications;

9. to apply for registration of the copyright in the work and to effect the legal deposit on the author's behalf where the latter has not done so;

10. to restore to the author the original of the work published under the contract and any material medium on which it has been fixed once the operations of printing and producing the work have been completed.

67. The author shall be under the following obligations:

1. to deliver the original of the work to be published under the contract in due form and within the agreed time;

2. to be responsible to the publisher for the authorship and originality of the work, and for the undisturbed exercise of the rights assigned;

3. to correct the printer's proofs, unless otherwise agreed.

68. Until such time as the work is published, the author may make any alterations to it that he considers appropriate, provided that they do not change the character and purpose of the work; he shall however pay any increase in costs caused by the alterations when they exceed the limit recognized by custom or the specified maximum percentage of corrections.

69. In the case of fixed-term contracts, the publisher's rights shall lapse as of right when the term expires.

However, unless otherwise agreed, the publisher may continue to sell the copies still in stock at the normal price during the three years following the expiration of the term, except where the author prefers to remainder those copies at 40 percent discount on the public selling price.



70. If, after three years have elapsed since the edition was made available to the public, not more than 30 percent of the copies have been sold, the publisher may liquidate the remaining copies at a price lower than that agreed, subject to notification of the author.

The author shall, within the 30 days following the notification, choose between acquiring the copies at a discount of 50 percent on the liquidation price set by the publisher or, in the case of proportional remuneration, collect 10 percent of the liquidation price invoiced by the publisher.

71. The death of the author prior to the completion of his work shall cause the contract to terminate as of right.

If, after having produced and delivered to the publisher a substantial part of the work which could be published, the author dies or is otherwise prevented from completing it, the publisher may, at his discretion, withdraw from the contract or consider it fulfilled with respect to the completed part, subject to a proportional reduction in the agreed amount of remuneration, except where the author or his successors in title express their wish not to publish the work incomplete. In that case, if the assignor or his successors in title subsequently assign the right to publish the work to a third party, they shall indemnify the publisher for damages and prejudice caused by the termination of the contract.

72. The bankruptcy or receivership of the publisher when the work has not yet been printed shall cause the contract to be considered terminated, but it shall remain in effect until such time as the copies have been printed. The contract shall continue to its normal term if, when the bankruptcy occurred, printing had started and the publisher or receiver so requests, and in the court's assessment gives sufficient guarantees that the publication will be carried out until the contract reaches its full term.

73. The provisions of this Chapter shall be applicable by analogy to contracts for the publication of musical works. The contract shall be terminated as of right if the publisher who temporarily or permanently acquires a share in other or all the other economic rights in the work fails to place a sufficient number of written copies on sale for the work to be disseminated within the six months following the date of the contract, or if in spite of being requested to do so by the author the publisher fails to place new copies of the work on sale when the initial print run is exhausted.

The author may seek the termination of the contract if the musical work has not produced economic benefits within three years and the publisher gives no proof of having taken definite action to bring about the dissemination of the work.

Chapter III

Contracts for the Performance of Musical or Other Works

74. Under a contract for the performance of musical or other works the author or his successors in title assign the right to a person, whether natural person or legal entity, or license such a person, to perform a literary, dramatic, musical, dramatico-musical, mimed or choreographic work in public in exchange for economic compensation.

Such contracts shall be concluded for a fixed term or for a specified number of public performances.

75. In the case of assignment of exclusive rights, the term of the contract may not exceed five years. The absence or interruption of performances for two consecutive years shall cause the contract to terminate as of right.

76. The impresario shall be obliged to allow the inspection of performances by the author or his representatives, to pay the agreed remuneration punctually, to submit the program of the performance to the author or his representatives, to keep a record of works used and the names of their authors on daily schedules and, where remuneration is proportional, to submit reliable records of income.

77. The impresario shall likewise be obliged to ensure that the performance takes place under technical conditions that guarantee the integrity of the work and the honor and reputation of the author.

78. The competent authority shall authorize the holding of shows or performances and shall issue operating licenses when the person responsible for the performance or for the establishment concerned gives proof of authorization by the owners of the rights in the works to be performed, or that of the collective administration organization responsible for the repertoire concerned.

79. The provisions on performance contracts shall likewise be applicable, as appropriate, to the other forms of communication to the public referred to in Article 38.

Chapter IV *Phonographic Recording Contract*

80. Under a phonographic recording contract the author of a musical work authorizes a producer of phonograms, in exchange for remuneration, to record or otherwise fix a work for reproduction on a phonographic disc, magnetic tape, film or any other comparable device or mechanism with a view to multiplication and the sale of copies.

The authorization granted to the phonographic producer shall not include the right of public performance of the work embodied in the phonogram. The producer shall cause the reservation to appear on the label affixed to the disc, device or mechanism on which the phonogram is reproduced.

81. The producer shall be obliged to display the following information on all originals or copies of the phonogram:

1. the titles of the works and the names or pseudonyms of their authors, and also those of arrangers and adapters if any; if the work is anonymous, that fact shall be stated;
2. the names of the performers and also the names of orchestral or choral groups and the names of the conductors thereof;



3. the abbreviated names of the collective administration organizations to which the authors and performers belong;
4. the notice of reserved rights in the phonogram in the form of the circled P symbol followed by the year of first publication;
5. the name of the phonogram producer.

Any information which for want of space cannot be stamped directly on the originals or copies in which the reproduction is embodied shall be printed on the sleeves or inlay cards thereof.

82. The phonogram producer shall be obliged to keep a registration system that makes it possible for authors and performers to verify the number of copies sold; he shall moreover allow them to verify the accuracy of their remuneration payments by inspection of vouchers, offices and stores, either in person or through authorized representatives.

83. The provisions of this Chapter shall be applicable by analogy to literary works that are used as the text for a musical work, or are declaimed or read for recording on a phonogram and subsequent reproduction and sale.

Chapter V *Compulsory Licenses*

84. The competent authority or any other entity designated in the regulations may grant non-exclusive licenses for the translation and production of foreign works intended for the purposes specified in, and subject to compliance with the requirements for such licenses imposed by, Law No. 8 of October 24, 1971, approving the Universal Copyright Convention as revised at Paris on July 24, 1971, and also other international conventions ratified by Panama.

Title VIII **Neighboring Rights**

Chapter I *General Provisions*

85. The protection accorded to rights neighboring on copyright shall in no way affect the protection of the copyright in scientific, artistic or literary works. Consequently, none of the provisions in this Title may be interpreted in a manner that detracts from that protection, and in the event of conflict the provision most favorable to the author shall be adopted.

86. The owners of the rights recognized in this Title may invoke the provisions relating to authors and their works insofar as they conform to the nature of their own rights, including the provisions on actions and procedures in Title XII and those on the limitations on economic rights contained in Chapter II of Title VI of this Law.



Chapter II
Performers

87. Performers or their successors in title shall have the exclusive right to authorize or prohibit the fixation, reproduction or communication to the public, by any means or process, of their performances. However, they may not object to communication when it is effected on the basis of a fixation made with their prior consent and published for commercial purposes.

Performers shall likewise have the moral right to the association of their names or pseudonyms with their performances, and also the right to prevent any distortion of the work that might jeopardize their integrity or reputation.

88. Orchestras, vocal ensembles and other groups of performers shall designate a representative for the purposes of the exercise of the rights recognized by this Law. In the absence of such designation, the representation shall fall to the conductor or leader.

89. The term of the protection granted under this Chapter shall be 50 years, counted from January 1 of the year following the performance in the case of unfixed performances, or that of publication where the performance has been recorded on a sound or audiovisual medium.

Chapter III
Producers of Phonograms

90. Producers of phonograms shall have the exclusive right to authorize or prohibit the reproduction of their phonograms. The importation and distribution of phonograms shall be allowed, provided that they are legal.

91. Producers of phonograms shall have the right to receive remuneration for the communication of the phonogram to the public, except in the case of the relevant lawful uses specified in Chapter II of Title VI of this Law.

92. The producers of phonograms or their successors in title shall collect the remuneration referred to in the foregoing Article and pay the performers of the works incorporated in the phonogram 50 percent of the net amount that the producer receives from the collective administration organization referred to in Title IX of this Law.

93. Unless otherwise agreed between them, the remuneration payable to the performers shall be divided into a two-thirds share for the performers and a one-third share for the accompanying musicians, including orchestra members and conductors.

94. The protection granted to the producer of phonograms shall be 50 years, counted from January 1 of the year following the first publication of the phonogram.

Chapter IV
Broadcasting Organizations

95. Broadcasting organizations shall have the exclusive right to authorize or prohibit the fixing, reproduction and retransmission of their broadcasts by any means or process.

96. The term of the protection granted to broadcasting organizations shall be 50 years, counted from January 1 of the year following that of the broadcast.

Title IX
Collective Administration

97. The collective administration organizations set up to defend the economic rights, recognized in this Law, of their members or mandators, or the members of foreign organizations of the same type, shall require State authorization to exercise their activities and shall be subject to supervision as provided in this Law and in the regulations under it.

Collective administration organizations shall be legally entitled, in terms of their own statutes and the contracts that they enter into with foreign organizations, to exercise the rights entrusted to them for administration and to assert those rights in administrative and judicial proceedings of all kinds.

98. Collective administration organizations shall provide their members and mandators with complete and detailed periodical information on all activities of the organization that could have a bearing on the exercise of their rights. Similar information shall be sent to the foreign organizations with which contracts have been entered into for representation on the national territory.

99. Collective administration organizations shall be entitled to collect and distribute the remuneration payable for the use of the works the administration of which has been entrusted to them, as provided in this Law and in their statutes. To that end they shall be obliged to:

1. enter into dealings with any person who so requests, except where they have just cause for not doing so, for the grant of non-exclusive licenses for the use, on reasonable terms and subject to remuneration, of the rights under administration;
2. negotiate general tariffs governing the remuneration payable for the use of works in their repertoires.

The foregoing shall be without prejudice to individual uses of one or more works of any kind, which require individual authorization by the owner of rights.

100. The statutes of collective administration organizations shall record:

1. the name of the organization;
2. its purpose or aims, with an indication of the rights administered;



3. the types of owner of rights included in the administration, and the participation of each category of owners in the management or administration of the organization;
4. the conditions governing membership and the loss thereof;
5. the rights of members and mandators;
6. the duties of members and mandators, and the disciplinary provisions concerning them;
7. the governing bodies and the competence of each such body;
8. the procedure for the election of officers;
9. the initial capital and planned economic resources;
10. the rules for the approval of collection and distribution standards;
11. the regime for the control and supervision of the economic and financial management of the organization;
12. the timing of the submission of the balance sheet and annual report on activities, and the procedure for the auditing of the balance sheet and associated documentation;
13. the disposal of the assets of the organization in the event of dissolution.

101. The distribution of the remuneration collected shall be done equitably among the owners of the rights under administration, according to a system that is prearranged and approved in accordance with the statutes, which shall preclude arbitrary action and apply the principle of distribution in proportion to the use of works, performances or products, as the case may be.

102. Collective administration organizations shall be obliged to inform the Directorate General of Copyright of the appointment and of the termination of the appointments of its administrators and agents, and also of general tariffs and amendments thereto, contracts entered into with associations of users and links with foreign organizations of the same kind, and the other matters referred to in Article 110 of this Law.

Title X

Registry of Copyright and Neighboring Rights

103. The Registry of Copyright and Neighboring Rights, under the authority of the Directorate General of Copyright, shall be responsible for processing applications for the registration of protected works and phonographic productions, performances and broadcasts fixed on a material medium and also instruments and contracts relating to rights recognized by this Law. One registration shall be made for the entire national territory.

104. The Directorate General of Copyright shall lay down the requirements for the registration of works and other acts that have to be recorded, depending on the nature thereof.

105. Registration shall constitute authentic evidence, in the absence of proof to the contrary, of the existence of the work, performance or phonographic or broadcast production and the fact of the disclosure and publication thereof, and also the authenticity and legality of acts by which rights recognized by this Law are totally or partly transferred or representative powers for their administration or disposal are granted.

It shall be presumed, in the absence of proof to the contrary, that the persons named in the register are the owners of the rights attributed to them as such.

106. The authors, publishers, performers, producers or disclosers of the works and productions protected by this Law shall deposit the copies of the work or production at the Registry on terms laid down by the Directorate General of Copyright.

The Directorate General of Copyright may, by virtue of a decision accompanied by a statement of reasons, allow the deposit of a copy to be replaced, for certain creative genres, by the submission of vouchers and documents that afford sufficient identification of the characteristics and content of the work or production to be registered.

107. The formalities provided for in the foregoing Articles shall be only declaratory in character, in the interest of the legal security of the owners thereof, and shall not be constitutive of rights.

Consequently, failure to effect registration or deposit shall not prejudice either the enjoyment or the exercise of the rights recognized by this Law.

108. Without prejudice to the registration formalities laid down in other laws, collective administration organizations shall register their constituent documents and statutes at the Copyright Registry, and also their tariffs, internal regulations, collection and distribution standards, representation contracts with foreign organizations and other documents as provided in the regulations.

Title XI **Directorate General of Copyright**

109. The present Registry of Literary and Artistic Property of the Ministry of Education is hereby named Directorate General of Copyright, and shall perform the functions of registration, deposit, supervision and inspection within the public administration, and also any other functions provided for in this Law, and shall have the following responsibilities:

1. to comply and ensure compliance with the provisions of this Law and the regulations under it;
2. to maintain the Registry of Copyright, as provided in Title X of this Law;
3. to decide on the requirements that have to be met for the registration and deposit of works, performances, productions and publications, except in cases expressly provided for in the regulations;



4. to license the operation of collective administration organizations, subject to compliance with requirements laid down in this Law and any that may be specified in the regulations;

5. to supervise persons, whether natural persons or legal entities, who use protected works, performances and productions, insofar as they give rise to the enjoyment and exercise of the rights laid down in this Law;

6. to serve as arbitrator where the parties so request;

7. to impose the administrative sanctions provided for in this Title;

8. to manage the information center on national and foreign works, performances and productions that are used on the territory of Panama;

9. to publish the Copyright Bulletin periodically;

10. to promote wider knowledge and awareness of the protection of intellectual property rights, and serve as information and cooperation body in dealings with specialized international organizations;

11. to perform any other functions that are entrusted to it by this Law and the regulations under it.

110. In cases of arbitration submitted to the Directorate General of Copyright for consideration, the arbitration procedure provided for in the Judicial Code shall be applied as appropriate.

111. The Directorate General of Copyright may impose sanctions on collective administration organizations that infringe their own statutes and regulations or become involved in circumstances that affect the interests of their members or mandators, without prejudice to any civil actions or criminal sanctions that may be appropriate.

112. The sanctions referred to in the foregoing Article may be:

1. private, written warning;

2. public warning, disseminated by a written communication medium with a nationwide circulation, at the expense of the infringer;

3. a fine of 1,000 to 20,000 balboas, depending on the seriousness of the offense;

4. suspension of the operating license for a period of up to one year, depending on the seriousness of the offense;

5. cancellation of the operating license in particularly serious cases, on terms specified in the regulations.

113. Violations of the provisions of this Law or the regulations under it that do not constitute offenses shall be punished by the Directorate General of Copyright, after the infringer has been heard, with a fine of 1,000 to 20,000 balboas, depending on the seriousness

of the violation. To that end the person allegedly responsible shall be notified and called upon to submit evidence in his defense within a period of 15 days. In the event of a second or subsequent offense, understood as being the repetition of an act of the same nature within the space of one year, the amount of the fine may be doubled.

114. The Directorate General of Copyright shall, either *ex officio* or at the request of the aggrieved party, effect the suspension of any form of public communication of works, performances or productions protected by this Law where the person responsible does not provide written evidence of his status as assignee or licensee of the rights and the manner of use involved, without prejudice to the right of the party concerned to refer the matter to the courts for the taking of such final measures as are within their jurisdiction.

115. Requests for the reconsideration of decisions of the Directorate General of Copyright shall be addressed to the Director General of Copyright, and appeals from the latter's ruling shall lie to the Minister of Education. In both instances, the party concerned shall be allowed five working days from the date of notification.

Title XII **Actions and Procedures**

Chapter I *Civil Actions and Procedures*

116. Civil actions that are brought invoking the provisions of this Law shall be heard and ruled upon in summary proceedings according to the provisions of the Judicial Code.

117. The person having original or derived ownership of rights recognized by this Law which have been violated may, without prejudice to any other actions that may be appropriate, apply to the court for an order restraining the unlawful activity of the infringer, and may demand indemnification for material and moral damage caused by the violation.

He may also seek the adoption, as preliminary protection, of the general precautionary measures laid down in the Judicial Code and the precautionary measures of urgent protection specified in Article 119 of this Law.

A period of five years is established for the institution of civil action, which period shall be counted from the date as from which such action could be brought.

118. Cessation of the unlawful activity may include the following:

1. suspension of the infringing use;
2. prohibition of the infringer from resuming such use;
3. withdrawal from the market and destruction of the unlawful copies;
4. disablement of molds, plates, dies, negatives and other equipment used exclusively for the unlawful reproduction, and destruction of the said equipment where necessary.



The owner of the rights infringed may apply for the surrender to him of the unlawful copies and of the material used for the reproduction, at cost price, the amount to be set against the appropriate indemnification for damages and prejudice.

119. In the event of an infringement or violation that has already taken place, the court may, at the request of the aggrieved owner, order whatever precautionary measures may, under the circumstances, be necessary for the immediate protection of such rights, including the following:

1. sequestration of all proceeds from the unlawful use;
2. sequestration of the unlawfully reproduced copies and of the apparatus used for reproduction;
3. suspension of the unauthorized reproduction, communication or distribution activity, as the case may be.

The measures laid down in this Article shall be ordered if the alleged infringer fails to provide written proof of the requisite assignment or license, or if an element of proof is submitted to the court that constitutes a serious presumption of the alleged infringement of rights, or if such a presumption emerges from the evidence ordered by the court for the consideration of the allegedly unlawful act.

In any event, the party requesting the precautionary measures specified in this Article shall post a bond or guarantee sufficient to compensate for any prejudice and cost that might be incurred.

Suspension of a public show for unlawful use of protected works, performances or productions may be ordered by the court of the place in which the infringement occurs, even if it does not have jurisdiction on the main issue.

The sequestration referred to in this Article shall have no effect on a person who has acquired an unlawfully produced original or copy in good faith for his personal use.

120. The precautionary measures specified in the foregoing Article may be granted in connection with criminal proceedings instituted for infringement of the rights recognized by this Law, without prejudice to any other measure provided for in criminal procedure legislation.

Chapter II Infringements and Sanctions

121. Any person shall be punished with imprisonment for 30 days to 18 months who, without authorization:

1. makes improper use of the title of a work, in violation of Article 28;
2. makes an amendment to the work in violation of the provisions of Article 37;



3. deliberately communicates a work protected by this Law to the public in any form or by any process in violation of Article 36 and 38, whether in its original or an altered form, in its entirety or in part;

4. uses copies of the work in violation of the rights laid down in Article 40, including the distribution of unlawfully reproduced phonograms;

5. retransmits a broadcast by any wire or wireless means in violation of Article 95;

6. reproduces or distributes, being the assignee or licensee authorized by the owner of the rights concerned, a greater number of copies than the assignment or license contract permits, or communicates, reproduces or distributes the work after the agreed period of authorization has expired;

7. falsely attributes to himself original or derived ownership of any of the rights recognized by this Law, and by virtue of that false attribution causes the competent judicial or administrative authority to suspend the communication, reproduction or distribution of the work, performance or production;

8. makes false statements in accounts of proceeds, works used and authors' identities or regarding authorization obtained or numbers of copies, or makes any other alteration to data that is liable to prejudice any of the owners of rights protected by this Law.

The sanction under this Article shall be imposed according to the nature of the offense committed as determined by the competent authority, which shall observe the appropriate procedures.

122. The sanction shall be imprisonment for two to four months for any person who:

1. reproduces, in violation of Articles 36 and 39, works protected by this Law either in their original or in an altered form, in their entirety or in part;

2. imports into the country, stocks, distributes, exports, sells or hires unlawful reproductions of protected works or otherwise brings them into circulation;

3. registers the work, performance or production of another at the Registry of Copyright and Neighboring Rights as if it were his own or that of a person different from the true owner, performer or producer.

123. The sanction provided for in the foregoing Article shall likewise be imposed on any person who, without authorization, reproduces or copies by any means the performance of a performer, a phonogram or a broadcast, either in its entirety or in part, or who imports into the country, stocks, distributes, exports, sells or hires such reproductions or copies, or otherwise brings them into circulation.

124. The sanctions provided for in the foregoing Articles shall be increased by one-third when the offenses concerned are committed in relation to a work, performance or production that is not intended for disclosure, or in the case of appropriation of authorship, or information, mutilation or other alteration liable to prejudice the honor or reputation of any of the persons protected by this Law.



125. As a subsidiary sanction, the court shall impose on the person responsible for any of the offenses specified in this Chapter a fine of 1,000 to 20,000 balboas, depending on the seriousness of the offense.

126. For all the offenses provided for in this Chapter, proceedings shall start at the instigation of the party concerned.

Title XIII **Scope of the Law**

127. Intellectual works shall be subject to this Law where the author or at least one of the co-authors thereof is Panamanian or resident in the Republic or where, regardless of the nationality or residence of the author, the works have been first published in Panama, or published in Panama within 30 days of their first publication elsewhere.

Works of art permanently located in a building situated in Panama shall be considered equivalent to published works.

Stateless refugees and persons of disputed nationality shall be treated on the same footing as nationals of the State in which they have their residence.

128. Intellectual works not covered by the foregoing Article shall be protected in accordance with the international conventions to which the Republic is party or may become party in the future.

In the absence of an applicable convention, such works shall enjoy the protection provided for in this Law insofar as the State to which the author belongs grants equivalent protection to Panamanian authors.

129. Performances, phonographic productions and broadcasts protected under Title VIII shall be subject to this Law where the owner of the rights concerned is Panamanian or resident in the Republic or where, regardless of the owner's nationality or residence, the said performances, productions or broadcasts have been made in Panama, first published in Panama or published in Panama within the 30 days following first publication elsewhere.

The provisions of the last part of Article 127 and of Article 128 shall be applicable to foreign productions and other neighboring rights recognized by this Law.

Title XIV **Transitional and Final Provisions**

Chapter I *Transitional Provisions*

130. Rights in works that did not enjoy protection under the previous Law because they were not registered shall automatically enjoy the protection afforded by this Law, without



prejudice to rights acquired by third parties prior to the entry into force thereof, provided that such uses have already been made or are being made on the date of promulgation of this Law.

Unauthorized uses of such works shall consequently not be lawful, in any form reserved for the author or his successors in title, where they are initiated once this Law has been promulgated.

131. The economic rights in works created by authors who have died prior to the entry into force of this Law shall have the term of 80 years provided for in the previous law.

132. Authors' organizations and other organizations of owners of the rights recognized by this Law that already exist as collective administration organizations for the rights of their members or mandators shall be allowed a period of one year following the establishment of the Directorate General of Copyright within which to adapt their constituent documents, statutes and operating standards to the provisions of Title XIX, Articles 102 and 108, and to seek operating licenses under Articles 97 and 109.4 of this Law.

133. The Executive shall issue the regulatory provisions required for the due implementation of this Law.

Chapter II *Final Provision*

134. This Law is substituted for Title V of Book IV of the Administrative Code and derogates from any other provisions contrary to it.

135. This Law shall enter into force on January 1, 1995.

* *Spanish title* : Ley No. 15 (de 8 de agosto de 1994) "por la cual se aprueba la Ley sobre el Derecho de Autor y Derechos Conexos y se dictan otras disposiciones".

Entry into force: January 1, 1995.

Source: *Gaceta Oficial* No. 22,598, of August 10, 1994.

Note: Translation by the International Bureau of WIPO.

** Added by the International Bureau of WIPO.