



# VOLUNTARY REGISTRATION OF COPYRIGHT & RELATED RIGHTS UNDER THE KAMPALA PROTOCOL

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# BACKGROUND

The Kampala Protocol on Voluntary Registration of Copyright and Related Rights was adopted on 28th August 2021 at a Diplomatic Conference in Kampala, Uganda by the Member States of ARIPO. Currently, twelve Member States have signed the Protocol, namely: The Gambia, Ghana, Liberia, Malawi, Mozambique, Namibia, Sao Tome & Principe, Sudan, Sierra Leone, United Republic of Tanzania, Uganda, and Zambia. The Protocol will enter into force once five (5) countries deposit their instruments of ratification or accession with the Director General of ARIPO.

Voluntary registration is an act by the author or owner (right holder) or his authorized representative submitting an application for registration of copyright or related rights. The voluntary registration system provides the copyright or related rights holders with bargaining power and re-assures business communities and opens doors for rights holders by leveraging on their bargaining powers, thus facilitating licensing agreements.



# SCOPE

The Kampala Protocol shall govern contracting states in the voluntary registration and notification of copyright and related rights.



## OBJECTIVES

- (i) establish, manage, facilitate, and coordinate a system for voluntary registration and notification of copyright and related rights;
- (ii) uphold common principles regarding voluntary registration and notification of copyright and related rights;
- (iii) provide copyright holders means of presumption to authorship or ownership of rights; and
- (iv) to ensure that creative industries contribute to the socio-economic development of countries.



## BENEFITS

The system will facilitate effective coordination between Copyright Offices (COs), Collective Management Organizations (CMOs), authors, rights holders, and users in ARIPO Member States, Africa and across the globe.

- (i) Providing authors/rights owners with an effective means of presumption as to authorship and/or ownership of rights. offering a document that will constitutes prima facie evidence of ownership/ authorship
- (ii) Database creation of important records, & information on creativity, such as National and Regional statistics for creators, rights holders and their works;
- (iii) helps to know when a work comes into public domain, facilitate legal access to creative content;
- (iv) preserve cultural heritage;
- (v) Leverage bargaining power of owners/ rights holders; and
- (vi) Serves public interest by providing a source of statistics on creativity & culture.



# APPLICATION PROCEDURE

(i) Who can apply for voluntary registration of copyright and related rights?

The author or the owner of or other person interested in the copyright or related rights in any work or production may make an application. Application can be done either through a contracting state or directly to ARIPO.

(ii) Effect of Registration of Copyright and Related Rights

The registration of copyright and related rights under this Protocol shall be prima facie evidence of the particulars/information entered in the database and documents of any entries or extracts certified and sealed by ARIPO shall be admissible in evidence in all courts without further proof or production of the original.



# NOTIFICATION PROCEDURE

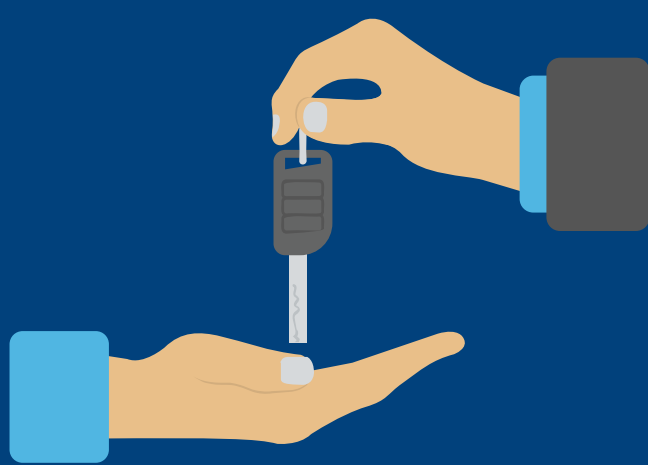
(i) Notification of registered copyright and related rights shall be done by the contracting state to notify ARIPO or by ARIPO to notify contracting state of the registered copyright and related rights.



# CHANGE IN OWNERSHIP OR VARIATION OF PARTICULARS

Who and where to apply for a change in ownership or variation of particulars?

A person or owner of a registered copyright or related rights shall apply to contracting states or ARIPO as the case may be.



# DISPUTE RESOLUTION

Any dispute or claim arising on voluntary registration of copyright & related rights may be resolved through direct negotiations between or among the parties in dispute.

Contracting states will facilitate the dispute resolution mechanisms and notify ARIPO.

