INTRODUCTION

- The convention adopted at Geneva by an international conference convened under the auspices of UNESCO.
- The convention came into force in 1955.
- It was initiated as a project by the UNESCO as an alternative to the Berne Convention.
- India is a member of the Berne Convention of 1886 (as modified in Paris 1971) as well as the Universal Copyright Convention of 1951.
DEVELOPMENT OF UCC

- It was the thought of developing and under developed countries that the copyright protections granted by the Berne Convention sided by the western country majorly.
- United States was already member of the Buenos Aires Convention, a Pan-American copyright convention.
- This convention did not hold as much ground as the Berne convention
- Hence, UCC provided for better protection than the Berne Convention.
Later, USA urged the other countries through multilateral agreements to accede to the Berne Convention during the 1980’s era.

TRIPS agreement of 1994 had a similar effect.

This led to a situation where developed countries acceded to the Berne convention and the developing countries to the UCC.
OBJECTIVE

The Universal Copyright Convention was set up as an alternative to the Berne Convention, to meet the following purposes:

1. Ensure that more countries are part of the international copyright community.
2. More flexible and easier to comply with compared to the Berne Convention.
3. Ease in compliance for developing countries.
FEATURES

– No signatory nation should accord its domestic authors more favorable copyright treatment than the authors of other signatory nations, though no minimum protection for either domestic or foreign authors is stipulated.

– A formal copyright notice must appear in all copies of a work and consist of the symbol.

– The name of the copyright owner, and the year of first publication; a signatory nation might require further formalities, provided such formalities do not favor domestic over foreign works.
– The minimum term of copyright in member nations must be the life of the author plus 25 years (except for photographic works and works of applied art, which have a 10-year term).

– All adhering nations are required to grant an exclusive right of translation for a seven-year period, subject to a compulsory license under certain circumstances for the balance of the term of copyright.
− **National Treatment**: The UCC follows the principle of national treatment as opposed to automatic protection. This essentially means that the contracting countries do not have to give foreign work automatic protection if the national provisions are not being complied with.

− **Minimum Rights**: Under the provisions of the UCC, the contracting countries have to provide a set of ‘minimum rights’ to the rightful owner of the work, as long as they do not create a conflict with ‘the spirit’ of the convention.
– The term of the work: The UCC gives protection for original literary, artistic and scientific works. A copyright notice is to be placed alongside the work to give reasonable notice of the copyright claim. Under the provisions of the UCC, a work is protected for a period of the lifetime of the author and 25 years after the death of the author.
CURRENT SITUATION

- The UCC lost momentum because its Contracting States also adhered to the Berne Convention.
- The reason behind this was that the UCC gave limited protection to while certain works were completely out of its preview.
- Currently, the situation is such that the convention would denounce the WTO/TRIPS Agreement or even the WCT,
- The countries are choosing to stay a part of WTO, seeking to protect not just P but other trade related subjects.
THE END