

Block 2

**Professional Ethics and Code
of Conduct**

Unit 3

Respecting the Rights of Copyright Holder

Unit 4

Professional Ethics for Translating Copyright-Free Texts

INTRODUCTION TO BLOCK 2

In the two Units of this second block titled **Professional Ethics and Code of Conduct**, several ethical and legal issues related to '**Respecting the Rights of Copyright Holder**' and '**Professional Ethics for Translation of Copyright-Free Text**' have been discussed in detail. There are many issues related to professional integrity and etiquette for translation, publication and presentation of other forms, which people do not consider due to negligence; but this leads to violation of the rights of the creator and infringement of emotions. Sixty years after the death of the creator, the copyright owner's right on the work ends; translators, publishers and other users are free to reproduce it, but the ethical responsibility of the users still remain. These issues have been analyzed in this block.



UNIT 3 RESPECTING THE RIGHTS OF COPYRIGHT HOLDER

Unit Structure

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3.0 OBJECTIVES

This Unit pertains to the rights of copyright holders. Having studied this Unit the learners of M.A. in Translation Studies shall get a concise understanding of copyright and the importance of respecting the rights of copyright holders.

After studying this Unit, learners will be able to:

- Explain the concept of copyright and its significance,
- Analyze the legal framework surrounding copyright at the national and international levels,

- Exemplify the ethical responsibilities of translators, publishers, and other users in relation to copyright,
- Comprehend the importance of protecting intellectual property rights in various professional domains, including the rights and duties of the copyright holder(s).

3.1 INTRODUCTION

In ancient times, societies may have been sufficiently liberal regarding creative works, making government-mandated and legally defined protections like copyright unnecessary. The history of copyright is relatively recent, not only in India but across the world.

Since the earliest stages of human civilization, social structures have shown implicit respect for contemporary creators. What we now refer to as copyright protection is essentially a formal recognition of the same principle—the acknowledgment and promotion of creativity. A society's cultural identity is shaped by its creative traditions, and every society takes pride in the accomplishments of its authors, artists, and intellectuals. The advancement of literature and art contributes significantly to the enrichment of culture.

Historically, before the development of the printing press, copies of literary works were manually reproduced. In 1436, the invention of the printing press in Germany revolutionized the dissemination of books, increasing public fascination with printed materials. However, the English authorities were deeply concerned that printed texts might include content contrary to religious doctrines or government policies. As a precautionary measure, royal approval was made mandatory before any book could be printed. Printing essentially involves the reproduction of an original work, and the ethical right to authorize such reproduction naturally belongs to the original creator. The fundamental right of a creator to permit or deny the reproduction of their work is what constitutes copyright. This concept, formally known as copyright in English, was first legally recognized in 1709 through a dedicated legislative act.

Before the widespread use of the printing press, literary and artistic works did not generate economic benefits for anyone other than their creators. Consequently, the need for copyright protection may not have arisen earlier. Essentially, the purpose of copyright is to safeguard the creator's rights—or those of an authorized entity—against unauthorized economic or other forms of exploitation. However, legal copyright protection is granted only for a specified duration.

To encourage and support authors, artists, performers, and publishers of literary and artistic works, copyright law also includes related or neighboring rights. The principal function of copyright law is to grant creators the authority to authorize or restrict the reproduction, distribution, and sale of their works. Copyright protection extends beyond the creator's home country

and is enforced internationally under the Berne Convention, which currently includes approximately 117 member nations.

Additionally, copyright law ensures that access to protected works is not restricted for educational or research purposes. This provision applies to foreign authors as well, provided that reciprocal copyright protections are extended to domestic creators by the respective foreign nations.

This chapter will explore key issues related to copyright in translation, publishing, broadcasting, and distribution.

Any discussion on copyright inevitably leads to examining the Berne Convention, which is central to international copyright law. However, before delving into this framework, it is essential first to establish a foundational understanding of copyright itself.

3.2 COPYRIGHT AND COPYRIGHT HOLDER

The Copyright Act is directly related to intellectual property. Every educated individual associated with the fields of art, literature, music, performance, and other creative endeavors should be aware of and ethically conscious about copyright. However, despite its significance, many people remain unfamiliar with its practical implications. Copyright is a form of intellectual property that grants the creator exclusive rights for a specific period. These rights include publication, distribution, sale, reproduction, adaptation, assignment, translation, modification, and broadcasting of their work. It legally protects the creator's work by ensuring that only the original author has the authority to permit or prohibit its reproduction or adaptation.

This protection applies to all forms of artistic and literary expression, whether in written, electronic, visual, or any other form. Until a creator officially transfers these rights through a legal agreement, the copyright of the work remains with the original author or creator. It is, therefore, the copyright holder who decides whether their work can be used in films, published, or sold, and under what terms. Additionally, publishers, broadcasters, and other entities involved in the public distribution of a work must compensate the creator appropriately for their intellectual and artistic efforts.

Despite the existence of legal provisions, the protection of intellectual property rights relies heavily on society's ethical standards and collective willpower. A review of history and tradition reveals that knowledge and artistic skills were not always evaluated based on economic parameters. In various historical periods, rulers provided financial security to scholars and artists. Historical records indicate that many talented and dedicated individuals were granted financial support by royal patrons to pursue knowledge and artistic excellence.

The Gupta rulers, the rulers of erstwhile Rajputana and the rulers of Avantika (Ujjain), for example, are still remembered for their patronage of literature, art, and culture. India's rich oral traditions have effectively preserved folklore

and cultural heritage. It is widely acknowledged that a nation's cultural identity is defined by its art, literature, and traditions. This is perhaps why many historical rulers placed immense importance on supporting skilled artists, poets, and scholars. Emperor Vikramaditya, for instance, believed that those who excelled in their craft were recipients of divine blessings, and meeting such individuals was equivalent to a spiritual experience. It is likely that this belief influenced his appointment of the legendary *Navaratna-s* (Nine Gems) in his court.

However, with the decline of monarchy, such royal patronage for the arts diminished. In modern times, artists and creators continue to contribute to society in significant ways, making it a collective responsibility to support them. When individuals in every profession receive compensation for their talent, skills, time, and effort, the same principle should apply to artists. Moreover, ethical reasoning dictates that a creator should retain ownership over their work, as it is the result of their labor, creativity, and resources. This ownership is legally recognized as intellectual property, and in legal terms, it is referred to as copyright. The exclusive holder of copyright is known as the copyright holder.

3.3 THE BERNE CONVENTION

From an international perspective, the Berne Convention represents the first significant agreement concerning copyright. Also referred to as the International Convention, it was established in 1886 CE and has undergone several amendments since its inception. The Berne Convention was largely inspired by Victor Hugo, a distinguished member of the International Literary and Artistic Association. As a result, it was influenced by the French concept of authorial rights. According to this principle, creative works are automatically granted copyright protection immediately upon creation, without the need for formal application or declaration. In countries adhering to the Berne Convention, authors are not required to register their works for copyright protection. Once a work is completed and takes a tangible form, the copyright is automatically granted to the author unless they explicitly renounce it or the copyright duration expires. Moreover, the convention ensures that foreign authors receive the same copyright protections and privileges as domestic authors within member states.

Prior to the Berne Convention, copyright laws were generally limited to national jurisdictions. For example, a British citizen's work published in Britain would be protected under British law, but a French citizen could freely reproduce or sell copies of that work without restriction. This issue gained prominence when Albertus Willem Sijthoff, a Dutch publisher, highlighted the importance of translated works in global commerce. In 1899, he wrote to Queen Wilhelmina of the Netherlands, emphasizing the negative impact of unregulated copying on the Dutch publishing industry.

Notably, the Berne Convention followed the groundwork laid by the Paris Convention of 1883 CE, which focused on patents, trademarks, and industrial design protection. The 1886 CE Berne Convention was a direct outcome of these preparatory efforts. To manage administrative responsibilities, a bureau was established, similar to the one formed for the Paris Convention. In 1893 CE, the United International Bureau for the Protection of Intellectual Property (BIRPI) was created by merging the two existing agencies. Originally headquartered in Berne, BIRPI was relocated to Geneva in 1960 CE to strengthen its ties with the United Nations and other international organizations. In 1967 CE, it was renamed the World Intellectual Property Organization (WIPO) and officially became a United Nations agency in 1974 CE.

Over time, the Berne Convention underwent several amendments and modifications to adapt to changing circumstances. Revisions took place at Paris (c.1896), Berlin (c.1908), Berne (c.1914), Rome (c.1928), Brussels (c.1948), Stockholm (c.1967), and Paris (c.1971), with further revisions in 1979 CE.

The fundamental principle of the Berne Convention was that member countries must provide copyright protection for both their own citizens and foreign authors from other member states. The 1928 Rome revision expanded protection to include not only literary, scientific, and artistic texts but also various other creative works. These included books, pamphlets, articles, lectures, speeches, sermons, dramatic works, dance choreography, theatrical performances, mime performances, visual arts (such as paintings, drawings, architecture, sculpture, engravings, lithographs), illustrations, maps, technical drawings, geographical charts, plastic works related to topography, scientific works, translations, adaptations, musical arrangements, and artistic reproductions.

The CE 1948 Brussels revision further extended copyright protection to cinematographic works and photographs. Additionally, both the Rome and Brussels revisions included provisions for industrial applications of copyrighted works. The Rome revision also established that copyright would remain valid for 50 years after the author's death, although some countries were granted flexibility to adjust this period based on their national regulations. Furthermore, these revisions safeguarded translation rights, though later amendments—such as the Stockholm Protocol and the Paris revision—introduced more flexible provisions to accommodate agreements between developed and developing countries.

In CE 1955, an international conference was held CE, leading to the formation of the Universal Copyright Convention. Between 1886 and 1955, seven other international agreements on copyright were concluded, namely:

1. Montevideo Convention (c.1889)
2. Mexico City Convention (c.1902)

3. Rio de Janeiro Convention (c.1906)
4. Buenos Aires Convention (c.1910)
5. Caracas Agreement (c.1911)
6. Dwana Convention (c.1928)
7. Washington Convention (c.1914)

These conventions collectively contributed to the development of international copyright law, reinforcing the principles established by the Berne Convention and laying the foundation for modern intellectual property protection.

3.4 THE UNESCO AGREEMENT

The proliferation of numerous agreements and treaties in the field of copyright led to increasing complexity, necessitating the establishment of a universally accepted global agreement. Consequently, the United Nations Educational, Scientific and Cultural Organization (UNESCO) took up the matter in 1949 CE and resolved to formulate an immediate solution. This effort resulted in the creation of a Universal Copyright Agreement, which was signed by forty countries over a four-month period, beginning on September 6, 1952 CE. The agreement also included provisions allowing additional countries to join at their convenience.

The following countries were among the signatories: Andorra, the United States, Argentina, Ireland, Austria, Australia, Italy, Israel, Uruguay, El Salvador, Cuba, Canada, Guatemala, Chile, Japan, Denmark, Norway, Nicaragua, the Netherlands, Portugal, Peru, Papua New Guinea, Finland, France, Belgium, Brazil, the United Kingdom, India, Mexico, Monaco, Liberia, Luxembourg, Yugoslavia, Spain, Sweden, Switzerland, the Federal Republic of Germany (West Germany), Santa Maria, and Honduras. The agreement was officially enforced on September 16, 1955.

Key Provisions of the Agreement:

1. **Duration of Copyright Protection:** Copyright protection must be granted to every creator for the entirety of their lifetime, and this protection should extend to their legal heirs for twenty-five years after the author's death.
2. **Protection of Foreign Works:** Countries are not obligated to provide copyright protection beyond the domestically determined period for foreign works.
3. **Translation Rights:** To create a translation of a copyrighted work, obtaining formal authorization from the original author is required. However, if a previously authorized translation has not been published within seven years, the government of that country may grant a license to

publish another translation. Similarly, if the previous edition of the translation is no longer available in the market, a license may be issued, provided that the original author receives fair compensation and the new translation is deemed reasonable.

Additionally, the agreement mandated the formation of an Intergovernmental Committee, responsible for periodically reviewing and addressing pressing issues related to the agreement.

3.5 INTELLECTUAL PROPERTY RIGHTS

Intellectual property refers to creations of the mind, including music, literary works, art, inventions, symbols, names, images, and designs. Just as an individual can own physical property, every person is also the rightful owner of their intellectual property. To ensure this ownership, creators are granted intellectual property rights (IPR), allowing them to control the use of their intellectual creations and potentially generate economic value from them. By safeguarding the rights of creators, intellectual property rights encourage innovation and creativity. Under intellectual property law, the owners of intellectual works receive exclusive rights to music, sound compositions, literature, art, research, inventions, symbols, and designs, which are otherwise intangible assets.

In the modern era, where information technology plays a crucial role, software is considered an extremely valuable technological asset. Computers, the internet, and related technologies fall under this category and significantly impact various aspects of human life, particularly communication systems. To protect intellectual property, computer software is also covered under the Indian Copyright Act, 1957.

Significant amendments were made to the Indian Copyright Act in 1994, which officially came into effect on May 10, 1995. These amendments were considered some of the strictest modifications in the field of copyright law worldwide. The June 1994 revisions were a historic milestone in India's copyright framework. This included a clear definition of copyright laws, rights of copyright holders, regulations on software rentals, user rights for creating backup copies, and strict penalties for software copyright violations.

Under this legislation, copyright infringement is subject to both civil and criminal penalties. Due to the ease of replicating software, and the fact that unauthorized copies often resemble the original software, copyright laws have been strictly enforced to combat piracy and unauthorized duplication.

3.6 INDIA AND INTELLECTUAL PROPERTY PROTECTION RIGHTS

In the contemporary global landscape, every creator, artist, and inventor must possess statutory intellectual property protection rights to ensure they receive fair commercial value for their work. These rights are safeguarded under the

intellectual property framework of the World Trade Organization (WTO). India's intellectual property rights (IPR) system aligns with the WTO's guidelines and is comprehensively structured at the statutory, administrative, and judicial levels. Recognizing the significance of intellectual property, the Government of India has undertaken several notable initiatives to enhance its implementation and enforcement. As part of these efforts, the Controller General of Patents, Designs, and Trademarks (CGPDTM) was established under the Department for Promotion of Industry and Internal Trade (DPIIT) within the Ministry of Commerce and Industry.

3.7 THE IMPORTANCE OF COPYRIGHT

Original ideas, literature, theories, works of art, technical principles, and inventions generated through intellectual labor belong to their creator, just as a farmer owns the crops grown on their land. The Copyright Act serves to protect this ownership of creative works. As soon as a work takes a tangible form, the creator automatically acquires copyright ownership, which is subsequently governed by copyright legislation. The Copyright Act encompasses a wide range of intellectual, scientific, and creative endeavors, including literary works, music, videos, dance, sculpture, software, and more. To secure their intellectual creations, authors and artists can register their works with the Copyright Office.

Unauthorized duplication of private information without the creator's consent constitutes a violation of ethical copyright principles. Similarly, online content usage must also adhere to copyright regulations to ensure compliance with intellectual property laws.

A historical concern regarding copyright was the lack of economic security for creators. Intellectual property rights were not well-defined, making ownership of literary and artistic works uncertain. Some scholars theorize that, due to this, many poets and writers embedded self-identifying signatures within their compositions—for instance, Vidyapati referring to himself as "*Tujha Pāda Sevaka*". These self-references might have been an assertion of ownership over their creative works.

The introduction of intellectual property rights (IPR) has eliminated this sense of uncertainty among creators. If such legal protections had existed in earlier times, artists and scholars could have benefited from greater security and recognition.

The Copyright Act grants creators exclusive rights over their works. No third party can copy, translate, adapt, reproduce, publish, distribute, or exhibit a work without the explicit permission of the copyright holder. Any violation of these restrictions or encouragement of copyright infringement is considered an offense under the Copyright Act.

Under this legislation, copyright infringement carries strict legal consequences, including imprisonment ranging from six months to three years and monetary fines between ₹50,000 and ₹200,000.

In India, copyright-related matters fall under the jurisdiction of the Department of Higher Education, within the Ministry of Human Resource Development.

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3.8 COPYRIGHT REGISTRATION

A creator may choose to register the copyright of their work. For this purpose, a prescribed form must be duly completed and submitted to the Copyright Office. Separate applications must be filed for different works, and each application must be accompanied by the prescribed application fee. The application form must be signed by the applicant or an authorized attorney, with a mandatory authorization letter attached in favor of the attorney. The required entries in the form should be carefully filled out. Registration can be obtained for both published and unpublished works. In the case of an unpublished registered work being published, an application must be submitted, along with the prescribed fee, to update the entry in the copyright register. This topic has been discussed in detail in previous units.

3.9 THE INDIAN COPYRIGHT ACT

The rules governing copyright matters in India are regulated by the Copyright Act, 1957 (Act No. 14). Prior to this, the prevailing copyright law was the Copyright Act of 1914, which was largely based on the British Imperial Copyright Act (1911). It can be stated that the 1914 Act was an essential extension of the British Copyright Act, 1911. Under Article 18(3) of the Indian Independence Act, it was adapted for India. This law and its regulations remained in effect in India until 1957, after which it was repealed upon the enactment of the new law. The provisions of the 1956 British Copyright Law were also extensively adopted in India. At present, all copyright-related regulations in India are governed by the Copyright Act, 1957, which incorporates provisions from international conventions and copyright treaties.

Notably, India is a member of the Berne Convention of 1886 CE (revised in Paris in 1971), the Universal Copyright Convention of 1951, and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) of 1995 CE. Although India is not a member of the Rome Convention of 1961 CE, the World Intellectual Property Organization (WIPO) Copyright Treaty, or the WIPO Performances and Phonograms Treaty, its copyright legislation is aligned with these agreements.

According to Section 17 of the Copyright Act, the creator of a work is considered the first owner of its copyright. However, if the work is created under a contractual agreement during employment, the employer is regarded as the first owner of the copyright. The first owner of the copyright may assign (fully or partially, with subject limitations, for the entire term or a limited period) the copyright of their work or any future work to another

individual. However, copyright for future works becomes effective only after the work is created (Section 18). Section 19 outlines the methods of assignment, stating that an assignment must be in writing and must specify the name of the work, the geographical scope, and the duration of the assignment. According to Section 19(5), if the assignment period is not specified in the contract, it shall be deemed to be five years. Section 19(6) states that if the geographical scope is not defined, it shall be considered applicable throughout India.

As discussed earlier, copyright enables creators to generate financial benefits from their intellectual labor and creative works. Under intellectual property protection, the Copyright Act of 1957 came into force in India, leading to the establishment of a controlled Copyright Office under the Registrar, appointed by the Central Government. The primary function of this office is to register creators and their works upon request.

Additionally, under the leadership of the Registrar, a Copyright Board was established, vested with powers equivalent to those of civil courts in several matters. Appeals against the Registrar's decisions can be made to this Board. The Board is chaired by a sitting or retired High Court judge, with provisions for the appointment of three additional members who must have expertise in literature and the arts. Appeals against the Board's decisions can be made to the High Court.

It is well known that copyright grants exclusive rights to creators or their authorized individuals in relation to activities such as literary creation, acting, music, filmmaking, and recording. These rights can be lawfully transferred.

A creator is entitled to copyright protection for their work throughout their lifetime, and after their death, their legal heirs retain these rights for an additional sixty years. Notably, before December 28, 1991, this period was limited to fifty years posthumously. According to the extraordinary gazette notification of the Government of India, published on April 13, 1992 (Gazette No. 159, Section 1), the Copyright Act of 1957 was amended by the Copyright (Amendment) Act, 1992 (Act No. 13), which extended the posthumous copyright term from fifty to sixty years. Consequently, the Copyright (Amendment) Act, 1991 (Act No. 9) was repealed.

Accordingly, no individual or organization may copy, translate, or present an abridged/adapted version of a copyrighted work without the formal permission of the copyright holder. A library may make copies of a book for essential purposes, but such copies cannot be sold.

The Act also includes provisions for penalizing violators and compensating creators for damages. If a performer modifies a copyrighted work in their performance without the creator's consent in a manner that tarnishes the creator's reputation, the Act provides for appropriate compensation to the creator.

3.10 LAWS RELATED TO ASSOCIATED RIGHTS

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If a complaint is lodged before the Copyright Board during the term of copyright regarding a work published or made public in India, alleging that the copyright owner is refusing permission for republication, translation, or translation publication of the work, or for making the work public in any form (printed, recorded, oral, adapted, or transformed), and as a result, the work is not reaching the public, which is against public interest, the Copyright Board may, after providing the copyright owner an adequate opportunity to be heard, investigate the matter. Based on its findings, the Board may direct the Copyright Registrar to grant the complainant a license to republish, make public, or broadcast the work, provided the copyright owner is compensated in accordance with statutory obligations. The Copyright Registrar shall issue such a license to the complainant following the Board's directive and established legal procedures.

3.11 COPYRIGHT (AMENDMENT) ACT, 1996

Despite numerous amendments and refinements, the rapid technological advancements in recent years, particularly in the fields of electronics and digital technologies, rendered the existing copyright protection system inadequate. It became evident that unauthorized dissemination of books, movies, and music over the internet, along with modifications and alterations to these works, was occurring without any formal authorization. High-quality reproductions of creative works were being produced and distributed without providing royalties to the creators. This situation led to a global realization that amending copyright protection rules was necessary to safeguard creators' rights effectively.

To examine the impact of digital technologies on copyrights and neighboring rights, a committee of experts was established by the World Intellectual Property Organization (WIPO). The committee drafted three new agreements:

- Agreement on the Protection of Literary and Artistic Works (Copyright Agreement)
- Agreement on the Protection of the Rights of Performers and Producers of Phonograms, and
- Agreement on the Automatic Protection of Databases (Database Agreement)

The proposed agreements underwent extensive deliberations among member countries of this joint platform. Dialogues also took place among regional groups of developing countries and between developing nations and industrialized countries.

In traditional reproduction methods, copies of works are tangible and physically evident. However, in the electronic era, reproduced copies may not necessarily be tangible or visible. Consequently, unauthorized exploitation of

works became possible without the creator's knowledge or consent and without any payment. For instance, parts of a song or a film could be disseminated over the internet without the creator's consent or knowledge and downloaded for personal use. Until a few years ago, it was uncertain in many countries whether the reproduction of a work available on the internet constituted a violation of existing copyright laws. However, these concerns have been addressed under the new international agreements. Incidentally, such provisions were already incorporated into Indian copyright law some time ago.

In cases where works are rented for dissemination, such as audiovisual works, sound recordings, or computer programs, the copyright owner is entitled to receive compensation. For example, when a video cassette is rented out by a cassette collector, the rights holder of the cassette is entitled to a payment for this transaction. Since the Berne Convention did not cover rental rights, the new draft agreements included consultations on this right and referenced Indian law, where such provisions were already in place.

The proposed agreements also included provisions granting performers rights over the reproduction, modification, distribution, importation, rental, or broadcasting of their fixed performances, effectively equating these rights with those granted to producers for their phonograms.

The agreements made three significant recommendations to protect creators' rights:

- **Incorporation of Inspirational Provisions:** The inclusion of certain inspirational provisions from the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement, many of which were already present in Indian law.
- **Prohibition of Unauthorized Reproduction:** The unlawful production, export, and distribution of copies of technical devices should be prohibited. However, the principle posed a theoretical question regarding the potential negative impact on scientific and technological progress due to the misuse of such devices and their application in illegal activities.
- **Provision of Ownership Indication:** For works available in electronic formats, provisions were proposed to indicate ownership of the work, provide essential information, and consider any unauthorized tampering illegal.

Existing copyright regulations provided protection for the labor involved in compiling and organizing databases but did not extend similar protection to the data itself. Consequently, there was potential for mischief-makers to claim ownership and exploit such data arbitrarily. Therefore, the new agreements proposed measures to ensure the secure and legitimate use of databases.

3.12 WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO) COPYRIGHT TREATY

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The existing documents of the Berne Convention did not initially address these issues in detail. However, with the advent of information technology and the internet, questions regarding these concerns were raised, prompting the World Intellectual Property Organization (WIPO) to incorporate resolutions for these matters into the draft of the WIPO Copyright Treaty (WCT) in 1996.

The WIPO Copyright Treaty (WCT) is an international treaty on copyright law adopted by the member states of WIPO in 1996. It builds upon the existing framework of copyright law established under the Berne Convention but provides additional and necessary protections in response to rapid advancements in information technology. The treaty ensures that, like literary works, computer programs are also protected under Article 4, and the selection and arrangement of material within databases is safeguarded under Article 5. Furthermore, Articles 6 to 8 grant creators exclusive rights to control the rental and distribution of their works, an aspect that was not adequately covered by the Berne Convention alone. Additionally, the treaty prohibits the circumvention of technological protection measures under Article 11 and restricts the unauthorized modification of rights management information under Article 12.

The treaty was signed on December 20, 1996, in Geneva, Switzerland, but received considerable criticism. Critics argued that the treaty was overly broad, as its provisions could also restrict the legitimate and fair use of technological security measures. Furthermore, despite vast economic disparities and variations in knowledge industries among signatory nations, the treaty imposed uniform standards across all member states. The WIPO Copyright Treaty was incorporated into U.S. law through the Digital Millennium Copyright Act (DMCA). In Europe, the treaty was approved by the European Council through Decision 2000/278/EC on March 16, 2000.

The European Union (EU) directives regarding the treaty broadly include copyright protection for software, copyright protection for databases, and restrictions on the circumvention of digital rights management (DRM) technologies.

Unlike the Berne Convention, which increased copyright duration, the WIPO Copyright Treaty did not explicitly recommend an extension of copyright terms. However, the United States Congress enacted both the Digital Millennium Copyright Act (DMCA) and the Sonny Bono Copyright Term Extension Act, while the European Union pursued its own approach to extending copyright duration.

3.13 CHAMPIONS OF INTELLECTUAL ENTERPRISE: TRANSLATORS

In light of ongoing discussions on the significance of translation and the responsibilities of translators, it must be unequivocally acknowledged that, in today's global landscape, a translator is not only a champion of intellectual enterprise but also a key facilitator of global knowledge transmission and cultural exchange. The efforts of translators enable knowledge and ideas originating in one language to reach another, igniting intellectual discourse in new societies. Through this process, the distinct cultural nuances of the original language and authorial expression transcend linguistic boundaries, fostering intercultural interaction.

As previously discussed, the creative works of authors from different eras and fields represent significant contributions to their respective societies, cultures, and intellectual spheres. Such contributions merit recognition and protection under copyright laws. Likewise, if one carefully examines the role of a translator, it becomes evident that their intellectual labor is equally significant. With the skillful navigation of languages, translators extend the reach of a limited linguistic repository, ensuring that knowledge finds a new audience. Their work not only conveys intellectual thought but also encapsulates the essence of a region's philosophical perspectives, traditions, cultural ethos, and social life.

Thus, translators are entitled to copyright protection for their translated works, just as original authors are. However, the scope of a translator's copyright is limited to the specific language of the translation. The exclusive rights over the publication, distribution, sale, and dissemination of the translation remain with the translator. Just as society and governing bodies have a moral obligation to respect a translator's copyright, translators, in turn, must exercise ethical discretion in respecting and safeguarding the copyright of the original author and publisher. It is imperative that translators seek formal permission from the copyright holder of the original work before undertaking any translation.

3.14 ETHICS OF TRANSLATORS, PUBLISHERS, AND OTHER USERS

No individual can deny the fact that, despite the increasing commercialization of translation due to modern-day demands, it remains a highly beneficial endeavor for all involved parties. Through translation, the intellectual discourse of one language is made accessible in another, thereby expanding the reach of a text beyond its original linguistic limitations and opening doors to a wider readership. Consequently, both the source and target languages benefit—the source-language text gains broader dissemination, while the target language enriches its knowledge repository. Additionally, the original author's intellectual sphere expands as their thoughts reach a new audience, and beyond financial gains, their recognition grows across linguistic

boundaries. Meanwhile, publishers in the target language contribute to the intellectual and literary landscape of both linguistic communities while also furthering their business interests.

A translator, drawing upon their multilingual expertise, linguistic sensitivity, translation skills, and intellectual commitment, engages in translation not only for financial gain but also to fulfill other professional and personal aspirations. The primary and most significant beneficiaries of a translation are its readers, who satisfy their intellectual curiosity, experience cognitive enrichment, and expand their intellectual horizons. Additionally, distributors, booksellers, and presenters who adapt the translated work into other media and formats benefit financially from their respective enterprises. Clearly, translation is a profession that contributes to society without depriving anyone of anything, while offering valuable returns to all involved. Therefore, ethical responsibilities are of utmost importance for all those engaged in this noble and socially significant pursuit.

All stakeholders in this sacred intellectual endeavor must fulfill their responsibilities with reasoned ethical judgment. This includes the original author, the original publisher, the translator, the publisher of the translated work, the readers of the target language, and presenters who adapt the translated work into other media. Ethical obligations include:

- If a qualified translator wishes to translate a specific work, neither the original author nor the original publisher should create unnecessary obstacles.
- The publisher of the translated work must operate with integrity, ensuring that both the translator and the original author receive due compensation and recognition.
- The publisher of the source text must be credited appropriately and must uphold the quality and dignity of the publication.
- The translator must respect the essence of the original work and the intent of the author, demonstrating fidelity and skill in their translation.
- Other presenters and media adapters should also act in accordance with these ethical principles.

It is imperative that all involved parties fulfill these ethical responsibilities, as they are essential to maintaining the integrity and value of the translation process.

3.15 RESPECTING THE RIGHTS OF COPYRIGHT HOLDERS

In the context of translation, copyright ownership is distributed across multiple entities. The primary copyright holder is typically the original author

or an individual or organization authorized by them. In certain cases, the publisher of the original work may also hold copyright. The secondary copyright holder is the translator or an entity authorized by them, and in some instances, a publishing house or organization may hold the copyright for the translated work. Although intellectual property laws ensure the financial interests of all stakeholders, copyright holders are also entitled to specific rights that are directly linked to ethics and moral responsibility.

Whether it is original writing or translation, every creator—be it an author or a translator—develops a deep attachment to their work, encompassing its theme, structure, language, terminology, and cultural context. This attachment also includes a sense of pride and fulfillment in their intellectual endeavor. Therefore, all individuals involved in the translation process, from conception to completion and beyond, must maintain an attitude of mutual respect.

To ensure a harmonious process, the original author and the translator must navigate any differences in linguistic interpretation with mutual understanding, avoiding unnecessary conflicts. The translator should not manipulate or distort the original text for personal or commercial interests. Furthermore, all contributors, including the original author, the translator, and the publisher, should receive appropriate credit along with financial compensation for their work. Publishers must uphold high publication standards, ensuring that the translated work is presented with integrity.

Additionally, those who adapt translated works into visual, auditory, or digital formats must also ensure that proper credit is given to all contributors. This principle applies to reproductions, digital uploads, and other forms of dissemination. Ultimately, these ethical considerations are closely tied to human morality and judgment.

It is important to recognize that all individuals involved in the promotion and dissemination of translation belong to an intellectual community. While the Indian Copyright Act provides a legal framework, intellectuals engaged in this field must also uphold their ethical responsibilities beyond legal obligations. Fulfilling these ethical duties is, in essence, a true demonstration of respect for the rights of copyright holders.

3.16 SUMMARY

Before the advent of printing technology, copies of literary works were manually reproduced. The moral right to authorize or prohibit such reproduction inherently belonged to the original creator. This exclusive right of the creator to permit or restrict the reproduction of their work is known as copyright. In legal terms, copyright law grants creators, protection over their intellectual works.

Copyright is a form of intellectual property that grants the creator exclusive rights over their work for a specific duration. These rights include publication, distribution, sale, reproduction, adaptation, translation,

modification, and communication of the work. Copyright laws legally regulate the usage of a creator's intellectual output, ensuring they retain control over their work's commercial and creative use.

On a global scale, every author, artist, and inventor must have statutory intellectual property protection to secure fair commercial value for their work. This protection is upheld under the World Trade Organization's (WTO) intellectual property system. Recognizing the importance of intellectual property, the Government of India has taken commendable steps to strengthen its implementation. Violations of the Copyright Act are subject to strict legal penalties. In India, the responsibility for copyright regulation lies with the Department of Higher Education under (earlier the Ministry of Education the Ministry of Human Resource Development). Copyright-related provisions are governed by the Copyright Act of 1957 (Act No. 14). The Geneva Treaty, signed on December 20, 1996, further enhanced and modernized copyright laws, making them more effective and relevant.

Translators are not only intellectual pioneers but also key facilitators in the global transmission of knowledge and cultural exchange. Through their efforts, ideas and knowledge originating in one language reach another, thereby enriching societies intellectually. Translation serves as a universal enterprise, benefiting everyone without demanding anything in return. Given the noble and public-serving nature of this endeavor, all those involved must uphold ethical standards and moral integrity.

Despite legal frameworks ensuring economic interests, copyright holders are entitled to additional moral rights, which are deeply connected to ethics and intellectual integrity. Every individual engaged in the dissemination of translated works is part of an intellectual community. Beyond compliance with Indian copyright laws, these individuals also have a moral duty to uphold ethical principles in their work.

3.17 EXERCISES

1. Discuss copyright and copyright ownership in detail, with a special focus on the Berne Convention.
2. Provide an introduction to the UNESCO Agreement and Intellectual Property Rights (IPR).
3. Highlight the importance of copyright and present your views on copyright registration.
4. Share your perspective on the Indian Copyright Act and the laws related to associated rights.
5. What is the Copyright (Amendment) Act of 1996 and the World Intellectual Property Organization (WIPO) Copyright Treaty?
6. Define the role of a translator as an intellectual pioneer, and explain the ethical responsibilities of translators, publishers, and other stakeholders.

3.18 SUGGESTED READINGS

- Bhandari, M.K., *Intellectual Property Rights*, Allahabad, Central Law Publication.
- The Copyright Act, 1957
- The Copyright (Amendment) Act, 1996



UNIT 4 PROFESSIONAL ETHICS FOR TRANSLATING COPYRIGHT- FREE TEXTS

Unit Structure

4.0 Objectives

4.1 Introduction

4.2 Freedom to Translate and Reproduce Copyright-Free Texts

4.3 Freedom to Publish the Translation of Copyright-Free Texts

4.4 Freedom of Other Users of Copyright-Free Texts

4.5 Loyalty of Translators, Publishers, and Other Users Towards the Original Text

4.6 Summary

4.7 Questions for Practice

4.8 Suggested Readings

4.0 OBJECTIVES

This Unit pertains to professional ethics in the translation of copyright-free texts. Having studied this Unit, students pursuing M.A. in Translation Studies will gain a concise understanding of professional ethics related to translating copyright-free texts. After completing this Unit, you will be able to:

- Describe the meaning of freedom concerning copyright-free texts and their translation.
- Comprehend the implications of user freedom and loyalty in the translation, publication, dissemination, or other reproductions of copyright-free texts.
- Analyze the concept of professional ethics in translation and publishing.

4.1 INTRODUCTION

The copyright of a work remains with the legal heirs of its creator for sixty years after the creator's death. In the case of a posthumously published work, the copyright remains valid for sixty years from its first publication. After this period expires, the work enters the public domain. Consequently, individuals involved in its republication, translation, adaptation, assimilation, summarization, or transformation are free to engage in such endeavors without legal constraints.

However, ethical considerations persist. Even when a work is legally in the public domain, professionals involved in its use face an inherent responsibility to uphold the integrity of the work. This sense of ethical obligation ensures respect for the original work, its creator, the language, the society, and the culture associated with it. Despite the legal freedom to use the work in any manner, ethical constraints remain binding. These ethical principles apply equally to translators, publishers, and all other users of copyright-free texts.

This text will discuss the rights and responsibilities of translators, publishers, and other users of such public domain works.

4.2 FREEDOM TO TRANSLATE AND REPRODUCE COPYRIGHT-FREE TEXTS

It is well known that a work enters the public domain sixty years after the death of its creator, or in the case of multiple creators, sixty years after the death of the last surviving creator. This means that the work is no longer under copyright, and anyone may legally publish, translate, adapt, or stage it without requiring permission. However, despite this legal freedom, an underlying ethical and courteous discipline continues to prevail in such matters. In the evolution of human civilization, particularly within India's social framework, not everything is dictated solely by legal statutes; rather, the interpretation of laws often becomes more flexible, taking into account contextual appropriateness and ethical considerations.

The public domain status of a text signifies that all rights related to its redistribution, republication, and reproduction, which were previously held by the legal heirs of the original author, have now been extinguished. These rights no longer remain confined to individuals but have become communal. Consequently, as rights become public, so too do responsibilities. The ethical obligation concerning the text is no longer an individual concern but a collective one. However, this freedom should not be misinterpreted as a license for arbitrary modifications in translation. Instead, it ensures that if a skilled translator wishes to render a significant work into another language but faces refusal from the legal heirs of the deceased author due to ignorance, arrogance, or unwarranted motivations, the work is no longer restricted by such constraints. Public domain status thus liberates the text from unnecessary legal barriers that may otherwise hinder its translation, reproduction, or adaptation.

For some, the ability to freely translate and republish a notable work brings a sense of satisfaction, while for others, it raises concerns about potential disorder. Often, after the death of a great author, the copyright of their work falls into the hands of individuals who neither appreciate its significance nor fully understand the author's intent. Out of ignorance or arrogance, they may view translators or publishers with suspicion and attempt to exploit them unfairly. In such cases, the transition of a work into the public domain is a

positive development. Every literary work is ultimately created to reach a wider readership. For most authors, the primary objective of their creative expression is dissemination, while financial gain remains secondary. The aspiration for literary recognition is a fundamental motivation for most writers. Any unnecessary obstacles in the reproduction of a work hinder this objective, which is why copyright expiration eliminates such barriers.

However, the potential dangers of this freedom must also be acknowledged. Once a work enters the public domain, there is a risk of reckless and unethical exploitation. Some individuals, indifferent to the original intent of the work and its creator, engage in irresponsible translation, publication, and reproduction, distorting and misusing the work for their convenience. In extreme cases, even basic courtesy towards the original author or their descendants is disregarded. This highlights the need for ethical considerations, even in the domain of freely available literary works.

4.3 FREEDOM TO PUBLISH THE TRANSLATION OF COPYRIGHT-FREE TEXTS

Once a work enters the public domain, any publisher is naturally free to commission its translation and leverage it for commercial gain. However, despite this freedom, publishers must uphold their professional ethics. It is widely acknowledged that the publishing industry is a business, with its primary objective being the financial return for its investment. Yet, even within this commercial framework, an underlying ethical responsibility persists. While every profession adheres to its own code of conduct and moral principles, publishing, in particular, operates as a mission-driven endeavor despite its inherent commercial nature. A publisher serves as a crucial intermediary, fostering a meaningful connection between authors and readers. For every author, the publisher is the primary conduit to reaching a broader audience. The publisher possesses the necessary infrastructure and organizational mechanisms to facilitate this process, playing a vital role in disseminating knowledge produced in a given language to a wider community. Therefore, it is expected that professionals in the publishing industry remain immune to the commercial corruption that has emerged over the past few decades.

Symbolically speaking, literary works are akin to sacred offerings in a publisher's commercial enterprise—both cultivated and dedicated to their business aspirations. In this analogy, the author represents the tree that produces these flowers. The tree and its flowers inherently retain their uniqueness and quality, but how the publisher presents them depends on their expertise. A publisher's skill and reputation significantly influence the promotion and dissemination of literary works. Due to a publisher's diligence and dedication, a work's prestige can be elevated, while conversely, a lack of expertise or experience can lead to the unfortunate neglect of even the most exceptional literary creations.

The identity and recognition of an author, translator, and publisher hold immense significance within the reading community. Each of these entities contributes to the reputation of the others. If a bibliophile is unfamiliar with a particular author or translator but is well aware of the publisher's professional integrity, they will naturally trust that the publisher has ensured the quality of the translated work. Similarly, collaborations between distinguished authors and translators enhance the credibility of publishers.

In this dynamic, a publisher's professional reputation, ethical responsibilities, and adherence to mutual codes of conduct play a critical role. It is well known that as an entity—whether an individual, an organization, or an idea—grows in prominence and stature, it has fewer places to conceal its inconsistencies. Consequently, to maintain its hard-earned credibility, a publisher must exercise judicious discretion and integrity with utmost care. The public bestows recognition upon individuals and institutions with great admiration, but it also holds them to high standards, capable of dismantling their reputation at the slightest misstep. Therefore, when commissioning and publishing a translation, a publisher must act with due diligence.

The fundamental question revolves around the utility of a translated work. Why does a publisher choose to commission and publish a particular translation? Given their business orientation, they will not undertake such an endeavor unless they anticipate commercial viability. This is where the ethical responsibilities and social consciousness of the publisher come into play. If there is a significant demand for the translation of a particular work and strong prospects for its commercial success, a publisher will naturally consider its publication. However, if the work is likely to have an adverse societal impact—corrupting literary tastes, fostering psychological distress among readers, promoting social misconduct, undermining national integrity, or inciting hostility—the publisher, despite potential financial gains, must refrain from publishing the translation to preserve their professional credibility. Conversely, if a translation appears beneficial to society and contributes to cultural enrichment, the publisher will be more inclined to proceed with its publication.

Thus, when a socially and commercially viable work enters the public domain, a publisher gains the freedom to commission and publish its translation. At this juncture, the publisher's professional discretion is once again called into question. Just as a publisher must remain committed to their business interests, they must also safeguard the literary merit of the original work and uphold the creative legacy of its author. It is imperative that the publisher ensures the translation is executed by a competent individual. Opting for an unqualified translator solely to minimize translation costs can compromise the integrity of the original work and tarnish its reputation. Translating a significant literary work is analogous to uprooting a well-established tree and replanting it in different soil while ensuring it remains flourishing. This task is both noble and fraught with challenges. Therefore, despite financial incentives for cost-cutting, a reputable publisher must not inflict harm upon a literary work's essence. Instead, they should diligently seek a translator who can maintain a delicate balance between the original

text and the target readership. While financial terms for the translation may be negotiated between the publisher and the translator, the quality of translation must never be compromised.

A publisher's obligations extend beyond the translation process. Even though they have the legal freedom to commission and publish a copyright-free translation for financial gain, they do not have the ethical right to deny due credit to the original author or engage in practices that diminish the integrity of the original text. The publisher is not entitled to alter or distort the fundamental essence of the work. Even if there are no explicit legal constraints, ethical considerations impose clear boundaries.

Despite a work's transition into the public domain, any form of distortion or misrepresentation, or the failure to acknowledge the original author's contribution, can alienate the reading community. Maintaining credibility among readers is crucial to reinforcing a publisher's professional reputation. Likewise, even after compensating a translator appropriately, it remains an ethical obligation to credit them for their work. Ensuring the aesthetic and editorial quality of the publication serves not only the publisher's business interests but also upholds the dignity of the original work and its creator.

A publisher also bears a moral responsibility towards the legal heirs of the original author, even though they no longer hold proprietary rights over the work. While the publisher is not legally bound to share financial profits with them, they should, at the very least, extend the courtesy of providing honorary copies of the published translation, informing them of its reception and growing popularity, and offering them due recognition when they seek additional copies. Such gestures will undoubtedly enhance the publisher's professional standing and contribute to their long-term reputation.

4.4 FREEDOM OF OTHER USERS OF COPYRIGHT-FREE TEXTS

Translation is often broadly understood as the process of rendering words, phrases, and sentences from one language into their equivalent in another. However, this is not the comprehensive definition of translation. In contemporary discourse, translation has emerged with an expansive and profound significance. Translation is no longer confined to the literal conversion of words, phrases, or sentences; it occurs at the level of discourse itself. Everything we experience and subsequently express is, in essence, a form of translation. The articulation of experiences through sounds or language constitutes a translation. Beyond this, the expression of oral narratives through bodily gestures, the depiction of events through painting or sculpture, the adaptation of stories or novels into theatrical performances, the transformation of poems or songs into dance performances, the audiovisual artistic reinterpretation of events, the retelling of mythological tales and epics, the annotation of complex texts, the interpretation of speeches, and the adaptation of narrative elements into serials, short films, or full-length films—all of these are forms of translation. Thus, apart from linguistic

translation of a specific work, all those engaged in transformation—adapters, actors, presenters, directors, dramatists, data analysts, and website developers—are also translators in their own right.

When a text becomes copyright-free, all such users gain the freedom to translate, adapt, reinterpret, or creatively reconstruct the text. They are at liberty to re-present or reproduce the text in its original form without any restrictions and can proceed in their endeavors without requiring consent or approval from anyone. However, this freedom does not equate to absolute freedom. The mere absence of legal restrictions does not constitute the highest form of liberty in human life. It is often said that an individual's freedom ends where another person's rights begin. In human conduct, ethical and social decorum serve as guiding principles that encourage restraint. Therefore, when a user seeks to exercise their freedom by adapting a copyright-free text according to their expertise, they must remain mindful of certain ethical responsibilities. Even if the original author (whether writer or translator) is no longer alive, it is imperative to show due respect to their surviving descendants or legal heirs, who may have lost their copyright but still have an emotional and intellectual connection to the work. These heirs should be informed of any adaptation or reinterpretation as a mark of respect.

Furthermore, users must refrain from making modifications to the original text or translation that would distort its essence, compromise the author's reputation, or undermine the translator's skill. It is also incumbent upon users to ensure that their adaptations—whether partial or complete—do not inflict harm upon any community, caste, class, religion, nation, society, humanity, or ethical values. Compliance with these ethical principles will naturally be upheld by proficient professionals in the field, as such individuals are confident that their presentations will bring joy and appreciation to their audience. However, in recent times, various industries have witnessed an influx of individuals who are commercially inclined yet lack even the fundamental etiquette of their profession. Such individuals show little concern for the dignity of writers and translators.

Even within the literary domain, if one examines the works of Bankim Chandra Chattopadhyay, Sarat Chandra Chattopadhyay, and Munshi Premchand, one finds that, despite countless published editions, authentic versions of their texts remain difficult to obtain. This anarchic approach to textual reproduction raises concerns about the integrity of literary dissemination in the future. The indiscriminate and unregulated use of texts not only undermines literary authenticity but also casts doubt on the ethical trajectory of intellectual traditions.

4.5 LOYALTY OF TRANSLATORS, PUBLISHERS, AND OTHER USERS TOWARDS THE ORIGINAL TEXT

The discussions concerning the convenience, inconvenience, discretion, and ethics of translators, publishers, and other users of a copyright-free text are

fundamentally linked to their loyalty toward the original text. While translators, publishers, and other users gain the freedom to re-present the text according to their skills and artistic methodologies, this freedom does not imply arbitrariness. Distorting the original structure of a work, using it to harm the public or a community, diverting its purpose by any means, or presenting it in an indecent manner renders any user culpable. History bears testimony to the fact that since the inception of human civilization, every act of creation, every form of art, and every skill has been driven by the noble purpose of serving the community. Every literary and artistic creation has been undertaken with a constructive and welfare-oriented objective. Notably, from the Stone Age to the present day, all tools, weapons, and even nuclear arsenals have been developed with the intention of protecting communities, nations, and humanity from adverse and malevolent forces. In this context, the misuse, distortion, misrepresentation, or wrongful appropriation of a work is an unethical and reprehensible act. Every user must refrain from such misconduct. If a user lacks the requisite skill or integrity to faithfully represent a work, it is ethical and appropriate for them to abstain rather than forcefully engage with the text. Any action to the contrary not only constitutes an unethical pursuit of personal gain but also misguides future research.

4.6 SUMMARY

According to legal provisions, a work becomes copyright-free sixty years after the death of its creator, meaning that no individual holds exclusive copyright over it. Any person is legally entitled to publish, translate, adapt, assimilate, abridge, perform, or otherwise reproduce the text without requiring permission. However, despite this legal freedom, a distant yet constant discipline of ethics and decorum remains in place. In order to uphold the dignity of a particular work, a sense of discretion and moral responsibility remains incumbent upon these entrepreneurs, compelling them to remain vigilant regarding their obligations toward the work, its creator, language, society, and culture. This ethical commitment applies equally to translators, publishers, and all other users. Often, following the demise of the original author, legal heirs, due to ignorance, arrogance, or undesirable intentions, may refuse permission for translation or reproduction of the work, leading to the exploitation of the translator, publisher, or presenter. In such instances, the work entering the public domain may be seen as a positive development, yet at the same time, it also gives rise to vast possibilities of disorder.

The fundamental objective of any creative work is to reach a broader readership, and unnecessary legal restrictions on its reproduction obstruct this objective. Thus, once a text becomes copyright-free, such barriers are eliminated. However, the grave adverse effect of this freedom is that it paves the way for recklessness and unethical practices in the field. Disregarding the original objectives of the work and its creator, some individuals involved in translation, publication, presentation, and reproduction exploit the original structure of the text for their convenience, employing anarchic and distorted

applications. In doing so, they even fail to maintain minimal decorum toward the original author or their descendants.

Despite a work being in the public domain, any form of distortion or disrespect toward the author's legacy not only angers the reading community but also affects the professional reputation and credibility of the concerned individuals. Maintaining trust within the readership is crucial for sustaining professional integrity in this field.

Similarly, even after providing a fair remuneration to a translator, acknowledging their contribution by crediting them for their work remains an ethical and professional obligation. Ensuring the aesthetic integrity of a publication is not only beneficial for a publisher's business but also essential for honoring the original work and its creator.

A publisher's ethical responsibility also extends to ensuring that if a legal heir of the original author, whose hereditary rights over the work have expired, exists, they should, if not financially compensated, at the very least be provided with an honorary copy of the published work. Additionally, they should be informed about the book's distribution, popularity, and growth, and if they wish to purchase additional copies, they should be accorded due respect. Such practices would undoubtedly enhance the publisher's professional reputation and credibility.

No user should engage in the misuse, distortion, misrepresentation, or wrongful appropriation of any work for personal gain through unethical means.

4.7 QUESTIONS FOR PRACTICE

1. What do you understand by copyright-free texts? Explain in detail the significance of the freedom of translation and reproduction of such texts.
2. Discuss the freedom and responsibilities related to the publication of translations of copyright-free texts.
3. Introduce the various users of copyright-free texts and explain their ethical responsibilities.
4. Elaborate on the commitment of translators, publishers, and other users towards the original text while sharing your views on professional ethics.

4.8 SUGGESTED READINGS

- *Anuvāda* (Journal), Special Issue on Translation Training, Issue 53, New Delhi, Bharatiya Anuvāda Pariṣad.
- Bhandari, M.K., *Intellectual Property Rights*, Allahabad, Central Law Publications.
- The Copyright Act, 1957