

Abstract

“Intellectual Property” is not a novel concept to Sri Lanka. There are certain national and international legislations to protect copyrights and other Intellectual Property rights. The principal legislation of Sri Lanka is the Intellectual Property Act No. 36 of 2003. The Berne Convention for the Protection of Literary and Artistic Works (1886) internationally protects copyright at the international level. There are four different types of Intellectual Property; such as copyrights, patents, trademarks and industrial designs. The Law of Copyright is the very important rights of the authors of literary, artistic and scientific creations and it generates the legitimate interests of the users of such creations. However, according to the findings of a public survey of the WIPO, the general public was frustrated over infringements of copyrights in which a considerable amount of their artistic and scientific creations were misused and stolen by some people in the South Asian region, including Sri Lanka. The main reasons are that absence of registration procedure and the lack of enforcement procedures for copyrights, except in the litigation process. Mainly, copyright registration and documentation systems are constituted via a largest pool of information among the developed nations. However, Intellectual Property Act of Sri Lanka has not enforced any registration formalities in respect of copyright. The main objective of the research is to recommend a voluntary public registration system for Sri Lanka. The secondary objective is to suggest amendments for existing Intellectual Property Act No.36 of 2003. The research methodology has adopted and the methodology which is based on comparative analysis. The researcher seeks to submit findings and recommendations which are the outcome of a comparative analysis in other jurisdictions such as the USA and Japan which are successfully practicing the copyright registration systems. Therefore, the research methodology was a mixed one. Therefore, the research will provide recommendations for a preliminary registration system for copyright and amendments for the existing Intellectual Property Act for rapid Intellectual Property development and protection copyright in Sri Lanka.

Key words: Berne Convention for the Protection of Literary and Artistic Works (1886), copyright law, copyright infringement, enforcement procedure, Intellectual Property Law, Intellectual Property Act No. 36 of 2003 and registration procedure.