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REPUBLIC OF THE SUDAN



WORLD INTELLECTUAL
PROPERTY ORGANIZATION

**WIPO NATIONAL SEMINAR ON COPYRIGHT,
RELATED RIGHTS, AND COLLECTIVE MANAGEMENT**

organized by
the World Intellectual Property Organization (WIPO)

in cooperation with
the Ministry of Culture

Khartoum, February 28 to March 2, 2005

**THE ROLE OF GOVERNMENT IN ESTABLISHING
A MODERN COPYRIGHT SYSTEM**

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Domestic Considerations

- Role of Government multi-faceted.
 - Domestic considerations
 - Foreign relations considerations.
 - Responsibilities as to management of copyright
 - Cooperation with the private sector

Domestic Considerations

1. Meeting the policy objectives:
 - A. Taking into account the basic rationale for copyright protection:
 - a) stimulate creativity,
 - b) promote investments,
 - c) respect authors' integrity.

Domestic Considerations

- B. Mitigate negative effects of too strong exclusive rights:
 - a) appropriate limitations to the rights
 - b) appropriate competition law.

Domestic Considerations

- C. Responsibilities as to enforcement.
 - a) an appropriate enforcement system must exist at all levels
 - b) Police, prosecutors, judges, customs officials must be all involved
 - c) sufficient resources must be devoted
 - d) information/educations to be provided

Domestic Considerations

- Some practical measures to be considered
 - a) Information and training
 - b) encourage use of interlocutory injunctions/
provisional measures
 - c) see to it that pirated goods is seized, destroyed
etc.
 - d) encourage sufficient damages and use of
criminal sanctions.
 - e) organise system for publication of judgements.

Management of the rights

- Support the setting up and running of cost-effective collective management organisations.
- Facilitate, through legislative measures, the operations of such organisations.

Relations to the outside world.

- Responsibilities follow from membership of the Berne Convention and TRIPS.
- Standards as regards the rights must be observed
- Standards as regards the enforcement must be observed.
- Special obligations under TRIPS (as regards notifications, responses to the TRIPS Council).

The Role of the Private Sector

- Cooperation with enforcement authorities to facilitate their work (identification of pirated material, etc.; explanation of various identification codes etc.)
- Assistance in search and seizure operations.