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The copyright trends in India and the level of copyright awareness among academic Librarians

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ABSTRACT

Academic librarians often need to deal with copyright issues at their institutions while handling information resources, and they must have a clear understanding of copyright laws, practices, and its implications. This paper examines the copyright trends in India, and librarian's familiarity with copyright laws and sources consulted to acquire copyright education. Copyright registrations in India are constantly increasing and copyright infringement cases are gradually decreasing. The study has shown impressive results that the majority of academic librarians (90.70%) are aware of copyright laws and their practice. Further, the study illustrates that the majority of librarians (63.27%) have only a basic level of copyright knowledge, and a marginal number of librarians working at medical college libraries (18.18%), university libraries (14.29%), and engineering college libraries (4.65%) have better knowledge of copyright laws. The results of the study suggest the advanced level copyright education at the library schools and continuous opportunities in the form of conferences, workshops, and seminars, etc. It has become compelling at workplaces that better-equipped librarians in terms of deeper knowledge on copyright-related issues in the digital environment are to be appointed.

Keywords: Copyright education, Academic Libraries, Academic librarianship, Copyright awareness, Copyright trends, Plagiarism

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Introduction

Libraries have become focal centers in the academic progress, and follow contemporary techniques and systems along with traditional methods to uphold the needs of various user categories. The ever-evolving technology and communication channels opened various methods and platforms with which instantaneous access could be established to information resources, and gradually overcame the burdens of traditional barriers. In the process of providing uninterrupted access to such data and resources, the rights of reproduction need special consideration. Posting or sharing of any copyrighted work always implies the owner's rights. Even using such work without prior permission from the authors/copyright owners in the form of translation and adaptation is also a violation of distribution rights. Attempts of any alternation, mutilation, elimination, or modification in the content are also against the author's rights and punishable on the legal ground (Sec 57, of Indian Copyright Act 1957). Also, the latest technology has penetrated the publishing industry to monitor unlawful activities in academia and force them to adhere to lawful actions. Certainly, copyright works are being exponentially used by academic institutions for regular teaching, learning, and research activities, and libraries are playing an extensively supportive role in supplying these materials. Librarians need to make decisions about copyright issues while procuring and distributing information to their users and even need to develop a library copyright policy or guidelines. However, the advancement of technology has enabled to monitor of the content copied from the internet/online (like copied by moving cursor, using a shortcut key, downloading, etc.) by anyone irrespective of their physical distance. Further, to perform routine jobs, librarians are supposed to have an awareness and clear understanding of copyright laws. It is opted to quote here that "And, librarians have, either intentionally or by default, become clearinghouses for information about appropriate use of copyrighted content, despite the fact that very few librarians are trained in the law" (Albitz, 2013). Thus, an attempt has been made here to determine the level of copyright awareness and knowledge among librarians working in higher educational institutions.

Background/Literature Review

Copyright is an exclusive legal right given to the creator/s (author/s) for their original works. Prior permission is required from creator/s to use such works by others in the process of distribution, reproduction, translation, adoption, and public performance. Conducting any such activities without prior permission leads to the infringement of copyright and is punishable on the legal ground (Sec 57, of Indian copyright Act 1957). Copyright owner/s or

creator/s have the privilege to give away their rights to others fully or partially or subject to some terms and conditions and transferring such rights to others and restrain authors from claiming ownership, is subject to the contractual agreement. However, section 52 of the Indian Copyright Act, 1957 provides for certain exceptions to infringement of copyright and permits fair use of copyright material for non-commercial purposes such as teaching, research, personal use, criticism, news reporting, etc.

Copyright plays a significant role in higher education institutions and certainly, it is necessary to educate the academic community about copyright law to protect the institutions from any lawsuits in the future (Albitz, 2013). It is found from the studies that exclusive copyright librarian positions have been created especially copyright-trained personnel is being hired to deal with the copyright issues associated with the information resources and services. A study conducted on advertisement trends for copyright librarians shows the rise of demand from 9% to 13% between 2006 and 2011. Further, the emphasis on copyright knowledge has been increasing over time, from 9% of job ads preferring knowledge of copyright in 2006 to 13% in 2011 (Kawooya, Veverka, & Lipinski, 2015). Librarians do agree that the library schools do not provide an adequate level of knowledge about copyrights during their studies (Eye, 2013). The knowledge of copyrights among academic librarians is very limited, and even not aware of certain exceptions provided for libraries by the national laws (Fernández-Molina, et al., 2017).

Research Objectives

Librarians, of late need to deal with the issues related to the copyright that is associated with a variety of information resources than before. Through this research, efforts have been made to understand the copyright trends in India, and the level of copyright awareness among academic librarians working in Higher Educational Institutions (HEIs).

Materials and Methods

To understand the copyright trends in India, the related statistical data was retrieved from the reports of the Ministry of Home Affairs, Ministry of Commerce and Industry, and Copyright office. Further, the data used for this study to understand the copyright knowledge level of librarians was obtained by conducting a survey using questionnaires and qualitative interviews as data collection tools. Physical visits were made to the libraries and interacted with library professionals to understand the real situation and their level of copyright education. The following criteria were used while selecting libraries for the study.

Criteria-1: Degree colleges that come under Bangalore University are-

- i. Government colleges (Department of Collegiate Education, Karnataka)
- ii. Aided/Semi-Government colleges (Department of Collegiate Education, Karnataka)
- iii. Private colleges recognized and accredited by NAAC (National Assessment and Accreditation Council)

Criteria-2: Engineering colleges affiliated to Visvesvaraya Technological University (VTU) and approved by AICTE (All India Council for Technical Education)

Criteria-3: Medical Colleges approved by MCI (Medical Council of India)

Criteria-4: Universities listed under UGC (University Grants Commission)

A simple random sampling technique was employed to collect samples from academic libraries (n=130) cover degree colleges (n=61), engineering colleges (n=46), medical colleges (n=8), and universities (n=15). A total of 226 questionnaires were distributed to the working library professionals at different levels like librarians, assistant librarians, and library assistants, of which 162 filled questionnaires were received with 71.68% (n=162) response rate. Out of 162 responses, a total of 147 respondents are aware of copyright laws and 15 respondents are unaware of the copyright laws. Therefore, only 147 responses were analyzed and presented in this study, and the remaining 15 responses were not considered as they were unaware of copyright laws.

Research Limitation

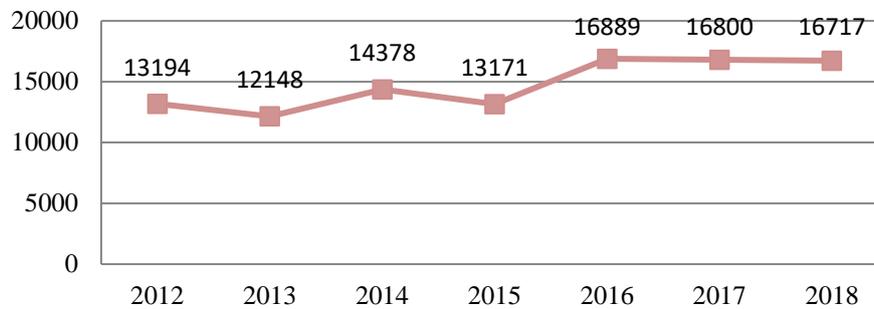
The scope of this study has been confined to the copyright awareness among academic librarians in Bengaluru city only.

Copyright Registrations and Infringements in India

Copyright always vests with the genesis/creation of the work and does not require any formal registration. Therefore, all rights are vested with the original creator/author and are entitled to first ownership over the work. Generally, an infringement of any work does not come into the picture unless someone notices and files an objection to it. And, always adequate evidence is required to prove the origin and ownership over the work. Each country has its own rules/Acts which define the formalities of copyright registration either by formal or non-formal or sometimes with both the options. The data collected from the Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce & Industry, and Copyright

Office, India, has evidenced a huge surge. The data not only indicates the technological progress and economic growth of the country but also shows that the authors and copyright owners are mindful of their rights and ensure the prevention of illicit activities.

Fig-1: Trends in Copyrights registration

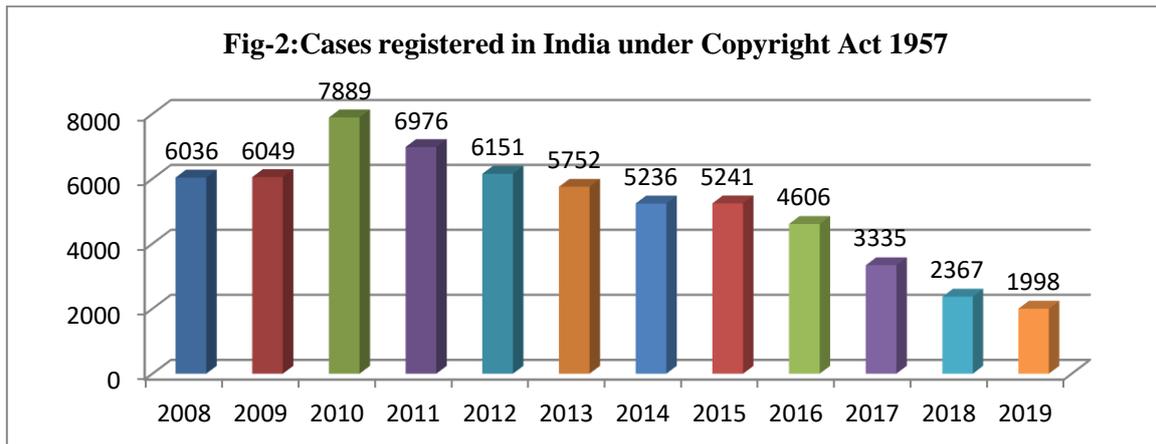


The academic community plays a significant role in promoting the growth of information, and promoting spreading awareness of intellectual property rights has become complementary to any research activity. Factors such as research identification, economic profit, and academic benefits are the contributing factors for their participation in the process of registration. It is necessary to encourage creativity and innovation in the process of epistemological promotion and development rather than research as a business model for profit. The provision of electronic registration of copyrights enabled authors and publishers to file applications without the laborious, voluminous, and otherwise cumbersome formalities. The data projected in the e-registration table below presents a nearly 3-fold growth in e-registrations for the past 3 years i.e. from 2016-2018. It is of great significance that the authors and copyright owners have come to appreciate and claim their rights over the creations.

Table 1: Copyright E-Registrations

Category/Year	2016	2017	2018
Artistic works	1212	6826	5242
Cinematograph Films	14	141	340
Computer Software	449	969	2147
Literary/ Dramatic works	1656	7256	8185
Music works	40	41	66
Sound Recordings	309	1370	737
Total	3680	16603	16717

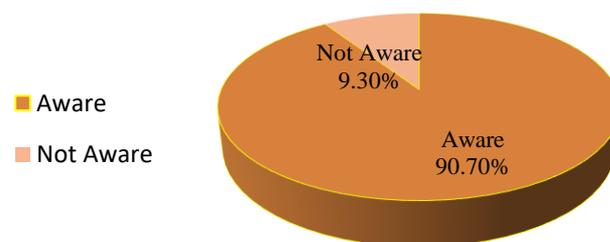
Further, the archival data of *NCRB, Ministry of Home Affairs, of 2008-2017*, reflects that the number of copyright infringement cases was at a peak in the year 2010 (i.e., 7889). Subsequently, there is a decrease in the number of copyright infringement cases reported. This change can easily be attributed to an increased awareness of author’s rights, as well as the 2012 amendment to the Indian Copyright Act, 1957, which strengthened the copyright regime by providing comprehensive rights and remedies to a copyright owner.



Copyright Awareness among Academic Librarians

Academic libraries regularly deal with the publishing industry to purchase or to subscribe information resources, and copyright is associated with all kinds of information resources, and libraries are the intermediary channels in providing such resources to the user community. The survey was conducted among academic librarians to examine the level of awareness of copyright laws. A total of 162 responses were collected, of which, interestingly 147 (90.70%) respondents have expressed their awareness of copyright laws, and the remaining 15 (9.30%) respondents do not have any awareness about copyright and its practices in the libraries. Therefore, only 147 responses were analyzed and presented in this study.

Fig-3: Copyright awareness



The data presented in table-2 revealed that the majority of the respondents 63.27% (n=93) were described themselves as ‘Novice’ (beginners) means to know the basics of copyright

laws and their practices in the libraries, followed by 30.61% (n=45) of respondents as “Intermediate” level, and only 6.12% (n=9) analyzed themselves in the “advanced” level knowledge of copyright laws.

Table-2: Copyright awareness level among librarians						
Category	Qualification	Advanced	Intermediate	Novice	Total	Total Awareness
Librarian	Ph.D.	8(72.73%)	3(27.27%)	-	11(10.48%)	105 (71.43%)
	M.Phil.	-	18(41.86%)	25(58.14%)	43(40.95%)	
	MLISc./M.Lib.Sc	-	9(18.00%)	41(82.00%)	50(47.62%)	
	BLISc./BLib.Sc.	-	-	1(100.00%)	1(0.95%)	
	Total	8(7.62%)	30(28.57%)	67(63.81%)	105(100.00%)	
Asst. Librarian	Ph.D.	1(100.00%)	-	-	1(3.03%)	33 (22.45%)
	M.Phil.	-	2(66.67%)	1(33.33%)	3(9.09%)	
	MLISc./M.Lib.Sc.	-	11(37.93%)	18(62.07%)	29(87.88%)	
	Total	1(3.03%)	13(39.39%)	19(57.58%)	33(100.00%)	
Library Assistant	MLISc./M.Lib.Sc.	-	2(33.33%)	4(66.67%)	6(66.67%)	9 6.12%
	BLISc./BLib.Sc.	-	-	3(100.00%)	3(33.33%)	
	Total	-	2(22.22%)	7(77.78%)	9(100.00%)	
Total	Ph.D.	9(75.00%)	3(25.00%)	-	12(8.16%)	147 100.00%
	M.Phil.	-	20(43.48%)	26(56.52%)	46(31.29%)	
	MLISc./M.Lib.Sc.	-	22(25.88%)	63(74.12%)	85(57.82%)	
	BLISc./BLib.Sc.	-	-	4(100.00%)	4(2.72%)	
	Total	9(6.12%)	45(30.61%)	93(63.27%)	147(100.00%)	

Further, it is noticed from the data (table-2) that copyright awareness corresponding to the educational qualification that the librarians with Ph.D. qualified are the ones to have the ‘advanced’ level (75%), and the remaining (25%) have ‘intermediate’ level of knowledge in copyright and related issues. Besides, the majority of librarians (56.52%) from M.Phil qualification capped themselves in ‘Novice’ level followed by (43.48%) ‘Intermediate’ level of copyright knowledge. Further, most of the librarians (74.12%) with masters in library science (M.Lib/MLISc.) claimed as ‘Novice’, followed by 25.88% ‘intermediate’ level knowledge of copyrights and its practices.

The data presented in table-3 reveals the level of copyright knowledge among various types of institutions. The data indicate that librarians working within Medical colleges have 18.18% ‘advanced’ level, 54.55% ‘intermediate’, and 27.27% ‘Novice’ level of copyright knowledge.

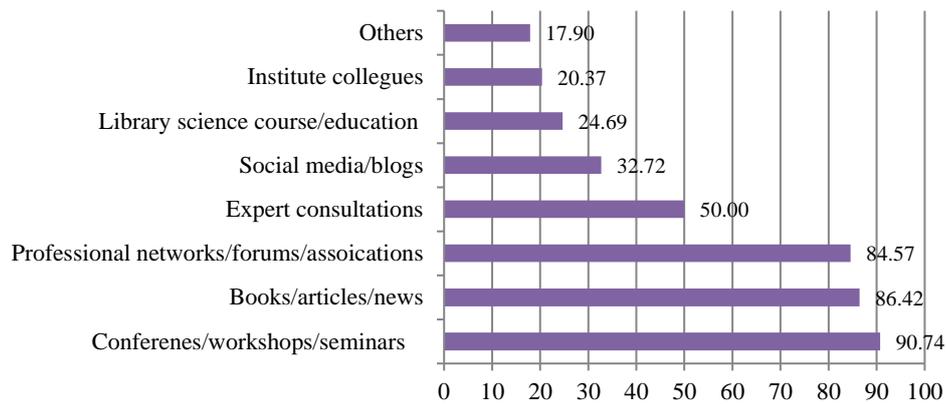
Further, librarians working in universities expressed that 14.29% as ‘advanced’, 45.71% as ‘intermediate’ and 40% as ‘novice’ level of copyright knowledge. And, librarians within engineering colleges capped their copyright knowledge with 4.65% as ‘advanced’, 27.91% as ‘intermediate’, and the majority with 67.44% as ‘novice’ level. Also, librarians working in degree colleges described themselves, 18.97% as ‘intermediate’ and majority with 81.03% as ‘novice’ level of copyright knowledge, and none of them have found with ‘advanced level of knowledge in copyrights.

Table 3: Type of institution V/s Copyright awareness				
Type of Institution	Advanced	Intermediate	Novice	Total
Medical Colleges	2 (18.18%)	6 (54.55%)	3 (27.27%)	11 (100.00%)
Universities	5 (14.29%)	16 (45.71%)	14 (40.00%)	35 (100.00%)
Engineering Colleges	2 (4.65%)	12 (27.91%)	29 (67.44%)	43 (100.00%)
Degree Colleges	-	11 (18.97%)	47 (81.03%)	58 (100.00%)
Total	9 (6.12%)	45 (30.61%)	93 (63.27%)	147 (100.00%)

Sources of Information for Copyright Knowledge

Many sources have been consulted by professional librarians during the course of gaining knowledge of copyright laws/issues. The data collected has been depicted in figure-3. The data in figure-3 indicates that the conferences/workshops/seminars (90.74%), are the major sources of awareness creation in the first place followed by books/articles/news (86.42%) and with networks/forums/associations (84.57%). However, some librarians relied upon expert consultations (50%), social media/blogs/websites (32.72%), institute colleagues (20.37%) and others (17.90%). Also, fewer librarians (24.69%) expressed that they have gained copyright knowledge while undergoing library science courses.

Fig 4: Copyright information resources



Discussion

The study indicates that copyright registrations are constantly increasing as authors and copyright owners have significantly started to appreciate and claim their rights over their creations, and on the contrary, the infringements of copyright cases are persistently declining since 2011. It is observed from the study that most (90.70%) of the academic librarians are aware of copyright laws. Further, data shows that only 6.12% of librarians have an advanced level of copyright knowledge, and 30.61% with intermediate and 63.27% with a beginner level of copyright knowledge. The significant reason for the increase of copyright awareness where the majority (63.27%) of them are described themselves as novice maybe because of the policy regulated by UGC in 2018 for “Promotion of Academic Integrity and Prevention of Plagiarism in Higher Educational Institutions” to curb the plagiarism activities in the higher education institutes; which might have forced universities and other educational and research establishments to set-up multiple copyright awareness programs viz. workshops, conferences, seminars, and lectures. However, it is essential to have an advanced level of copyright knowledge to deal better with copyright issues as academic libraries have access to multiple resources using various channels. The ‘advanced’ level of copyright awareness among librarians was found only with a marginal level in medical colleges (18.18%), universities (14.29%), and engineering colleges (4.65%) as these institutions are more into research and generally headed by experienced librarians with Ph.D. qualifications. It is observed that holders of Ph.D. qualifications (75%) perceived themselves better informed than MPhil and MLISc/MLib. The study reveals that librarians with only 24.69% have gained copyright knowledge during their course of library science education. Library schools need to focus and revive their pedagogical system to adopt an advanced level of teaching and training with

practical case studies regarding copyright-related aspects. Also, the continuous opportunities in the form of conferences, workshops, and seminars, etc. at workplaces can better equip librarians towards copyright-related issues.

Measures

Measures that may help in enhancing the level of awareness among LIS professionals are listed as follows;

- i. LIS syllabi should provide a place for copyright issues in it, if already part of the syllabus then emphasis needs to be enhanced both at the theoretical level and practical aspects of it.
- ii. In-house training programs may be initiated by libraries to promote the concept and issues.
- iii. In syllabi of refresher courses, orientation programs, and faculty development programs of UGC, the issues relating to copyright or intellectual property rights are to be one of the basic elements of course work.
- iv. Library associations can work towards developing Academic Copyright Practice Codes (ACPC) regular updations.
- v. Online discussion forums may be established for librarians to participate, discuss and resolve issues relating to copyright issues/problems.

Conclusion

Over the years, the creation of the content in the academic environment has been steadily intensified and various digital access channels are evolved in the distribution process. Librarians also play a significant role as a supporter in all academic and research activities and involved in the process of developing digital access platforms, digitizing of materials and setting the swift pace for digital access and procurements. The majority of the academic librarians are only with limited copyright knowledge (more than 63.27%) and it does not suffice to deal with the issues associated with copyrights. This study suggests that the teaching of `advanced level of copyright education at the library schools and continuous opportunities at the working place to learn in the form of conferences, workshops and seminars can help librarians to deal better with copyright-related issues and institutional empowerment in terms of credibility and legitimization.

References

1. Albitz, R.S. Copyright Information Management, and the University Library: Staffing, Organizational Placement, and Authority. *The Journal of Academic Librarianship*, 2013, **39**(5), 429–435. [doi:10.1016/j.acalib.2013.04.002](https://doi.org/10.1016/j.acalib.2013.04.002)
2. Eye, J. Knowledge Level of Library Deans and Directors in Copyright Law. *Journal of Librarianship & Scholarly Communication*, 2013, **2**(1), 1–14. [doi:10.7710/2162-3309.1103](https://doi.org/10.7710/2162-3309.1103)
3. Fernández-Molina, J.C; Moraes, J.B.E, & Guimarães, J.A.C. Academic Libraries and Copyright: Do Librarians Really Have the Required Knowledge?. *College & Research Libraries*, 2017, **78**(2). [doi:10.5860/crl.78.2.241](https://doi.org/10.5860/crl.78.2.241)
4. Flew,T. Copyright and creativity: An ongoing debate in the creative industries. *International Journal of Cultural Creative Industries*, 2015, **2**(3), 4-17. <https://eprints.qut.edu.au/86117/> (accessed on 27 January 2021)
5. Hoorn, E & Van der Graaf, M. Copyright issues in open access research journals. *D-Lib Magazine*, 2006, **12**(2). <http://dlib.org/dlib/february06/vandergraaf/02vandergraaf.html> (accessed on 5 January 2021)
6. Kapoor, Mudit. India sees huge surge in Intellectual Property rights applications. *Business Today*, 2018. <https://www.businesstoday.in/buzztop/buzztop-feature/india-sees-huge-surge-in-intellectual-property-rights-applications/story/280092.html> (accessed on 21 December 2020)
7. Kawooya, Veverka, & Lipinski. The Copyright Librarian: A Study of Advertising Trends for the Period 2006–2013. *The Journal of Academic Librarianship*. 2015, **41**(3). [doi:10.1016/j.acalib.2015.02.011](https://doi.org/10.1016/j.acalib.2015.02.011)
8. Reddy, A & Aswath, L. Understanding Copyright Laws: Infringement, Protection and Exceptions. *International Journal of Research in Library Science*, 2016, **2**(1). 48-53. https://www.ijrls.in/journal_category/volume-2-issue-1/198-understanding-copyright-laws-infringement,-protection-and-exceptions (accessed on 1 February 2021)
9. Rooksby, J.H & Hayter, C.S. Copyrights in higher education: motivating a research agenda. *The Journal of Technology Transfer*, **44**(1), 2019, 250-263. [doi:10.1007/s10961-017-9632-6](https://doi.org/10.1007/s10961-017-9632-6)

10. Schmidt, L & English, M. Copyright Instruction in LIS Programs: Report of a Survey of Standards in the U.S.A. *The Journal of Academic Librarianship*, **41**(6), 2015, 736–743.
[doi:10.1016/j.acalib.2015.08.004](https://doi.org/10.1016/j.acalib.2015.08.004)
11. Annual Report:2016-17, Department for Promotion of Industry and Internal Trade.
https://dipp.gov.in/sites/default/files/AnnualReport_Eng_2016-17_0.pdf ([accessed on 2 December 2020](#))