

تقرير حقوق الملكية الفكرية باللغة الانجليزية

قانون حماية الملكية الفكرية

Law on the Protection of Intellectual Property Rights

The history of intellectual property rights dates back to 1873 at the International Exhibition, when many foreign inventors refrained from participating for fear that their inventions would be stolen. This highlighted the need to provide special protection for inventions. Below are some of the key provisions of the Egyptian Intellectual Property Law regarding works and their authors:

First: Works Protected اولا: في المصنفات التي تحمي مؤلفها

Article 1

Authors of original works in literature, the arts, and sciences, regardless of the type of works, their manner of expression, their importance, or the purpose of their classification, shall enjoy protection under this law.

A person shall be considered the author if the work is published under their name, whether this is indicated directly on the work or in any other way, unless evidence proves otherwise. This provision also applies to pseudonyms, provided there is no doubt about the true identity of the author.

Article 2

The protection provided under this law covers the authors of:

- Written works.
- Works in the arts of drawing, painting (in lines or colors), engraving, sculpture, ceramics, and architecture.

- Works delivered orally, such as lectures, speeches, sermons, and similar works.
- Dramatic and musical-dramatic works.
- Musical works, whether accompanied by words or not.
- Visual and cinematographic works, and similar works as determined by a decision of the Minister of Culture.
- Geographical maps and manuscripts (such as sketches).
- Three-dimensional works related to geography, topography, or science.
- Works performed through movements or steps, prepared materially for presentation.
- Works of applied arts.
- Sound and audiovisual works prepared specifically for broadcasting by wired or wireless radio, television, tape recorders, or any other technical means.
- Computer programs and databases, and similar works as determined by a decision of the Minister of Culture, which are considered literary works.

Protection also extends to authors of works expressed in writing, sound, drawing, movement, or photography, as well as to the title of the work if it is distinguished by originality and not merely a generic description of the subject.

Article 3

Protection shall extend to anyone who translates a work into another language, or transforms it from one branch of literature, arts, or sciences into another, or who abridges, adapts, modifies, explains, or comments on it in any form that presents it in a new shape—provided this does not prejudice the rights of the original author.

However, the rights of the author of a photographic work do not prevent others from taking new photographs of the same subject, even if taken from the same location and generally under the same conditions as the original photographs.

Article 4

Without prejudice to the provisions of Article 31, protection shall not extend to:

First:

Collections that organize several works, such as anthologies of poetry, prose, music, and similar compilations, provided that the rights of each individual author are respected.

Second:

Collections of works that have passed into the public domain.

Third:

Collections of official documents such as the texts of laws, decrees, regulations, international agreements, judicial rulings, and other official documents.

Nevertheless, the aforementioned collections shall enjoy protection if their arrangement, selection, or presentation demonstrates originality or reflects personal effort that merits protection.

Second: Authors' Rights ثانيا : فى حقوق المؤلف

Article 5

The author alone has the right to decide on the publication of their work and to determine the manner of its publication.

The author alone has the right to exploit their work financially, and no one else may exercise this right without obtaining written authorization from the holder of the financial exploitation rights of the original work or their successors.

Article 6

The author's right of exploitation includes:

First:

Communicating the work directly to the public in any of the following forms:

- Public recitation, musical performance, theatrical performance, or public display.

- Wireless broadcasting of words, sounds, or images.
- Presentation by magic lantern, cinema, or similar means.
- Wireless transmission through loudspeakers or television screens placed in public areas.

Second:

Communicating the work indirectly to the public by reproducing copies that are accessible to the public, whether through printing, drawing, engraving, photography, casting in molds, recording, copying, fixing on discs, or on audio or video tapes, or by any other method.

Article 7

The author alone has the right to introduce any modifications or adaptations to their work.

Article 8

In textbooks, and in works of literature, history, science, and the arts, it is permissible to reproduce works that have already been published in the visual, graphic, three-dimensional, or photographic arts, provided that such reproduction is limited to what is necessary to illustrate the written text.

In all cases, the sources and the names of the authors from whom the material is taken must be clearly indicated.

Article 9

After the death of the author, their heirs alone shall have the right to exercise the financial exploitation rights referred to in Articles 5, 6, and 8.

If the work is a joint work under the provisions of this law and one of the authors dies without heirs, their share shall devolve to the co-authors or their successors, unless there is an agreement to the contrary.

However, the author may designate specific persons, whether heirs or not, to have the financial exploitation rights referred to in the previous paragraph, even if such designation exceeds the portion normally permitted by inheritance law.

Article 10

If the author dies before deciding to publish their work, the right to decide on publication shall pass to their successors in accordance with the provisions of the preceding article.