Cognizance of Intellectual Property Rights and Digital Rights Management among Library Professionals and Research Scholars in the Faculty of Social Sciences at Aligarh Muslim University

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Abstract

The purpose of the present study is to know the level of awareness of Intellectual Property Rights (IPRs) including Digital Rights in an electronic environment. The study has been carried out among Library Professionals and Research Scholars in the faculty of social sciences of Aligarh Muslim University. It explores the development and emerging trends of IPR and Digital Rights Management (DRM) as well as its awareness and use among Library Professionals Working in Maulana Azad Library and Research scholars in the Faculty of Social Sciences of Aligarh Muslim University. The findings of the survey revealed that all the Library Professionals and Research Scholars are aware about Intellectual Property Rights (IPRs) well as only 67.5% library professionals and 54.54% research scholars are aware about Digital Rights Management (DRM) in the faculty of social science. The study suggests different orientation programs for Library professionals and Research Scholars to make them aware about the DRM, plagiarism and other related IPR terminology and the introduction of the required software for the detection and avoiding of plagiarism in order to improve the quality of research in Aligarh Muslim University.

Keywords: Aligarh Muslim University (AMU), Digital Rights Management (DRM), Copyrights, Intellectual property Rights (IPR), Open Archive Initiative (OAI).

Introduction

With the advent of the Internet and Computer Technology, digital content, including digital images, video and music can be distributed instantaneously. Libraries also move from the physical medium to the digital, library staff are increasingly confronted with the challenges of addressing copyright and other intellectual property rights (IPR) issues related to digital information. Copyright has become a hot topic and a vexing issue for all those who have a stake in scholarship and scholarly communication.

Due to the development of the Internet and its allied technology, there is a need of some rights and management to control and use multimedia technology and vast amounts of digital

content. The main difference between digital contents and printed materials is access and dissemination both. It can easily be copied, altered and distributed to a large number of recipients. This will cause copyright infringement and revenue losses to content owners or rights holders; therefore DRM is necessary. DRM is a systematic approach to copyright protection for digital media. Due to threat Infringement and other crime content owners were in want of a technology that can control the use of their content. Further, they were in need of a protocol of hardware and software services and technologies that can govern the authorized use of digital content and manage any consequences of use throughout the life-cycle of the content (**ALA, 2003**). These aspects gave birth to the concept called Digital Rights Management (DRM). The primary purpose of DRM is to control access, use and to prevent illegal distribution, of paid content over the internet; and thereby protect the interests of copyright holders in the digital scenario.

Intellectual Property Rights: Concept and definitions

The majority of countries in the world have a system of intellectual property protection and enforcement because it encourages innovation and creativity, which in turn leads to economic prosperity of the nation. The first intellectual property law was passed in Venice in the year 1474. This law protected the investor's interest against copying of their creation. England soon followed suit and in the year 1624 passed the Statute of Monopolies, which granted intellectual property rights to the inventor for a limited period. However, the intellectual property system as we know today, commenced with the birth of the Paris Convention for the Protection of Industrial Property in 1883. The Paris Convention made it easier for individuals in one nation to obtain protection globally. This convention was followed by the Berne Convention for the Protection of Literary and Artistic Works (IPR Toolkit - Intellectual Property Rights (IPR) in India).

The World Intellectual Property Organization (WIPO) of the United Nations defines intellectual property as creations of the mind: inventions, literary and artistic works, symbols, names, images, and designs used in commerce. Intellectual property is divided into two categories: one is an industrial property, which includes inventions (patents), trademarks, industrial designs, and geographic indications of source; and the second is copyright, which includes literary and artistic works such as novels, poems and plays, films, musical works, artistic works such as drawings, paintings, photographs and sculptures, and architectural designs. Rights related to copyright include those of performing artists in their performances, producers of phonograms in their recordings, and those of broadcasters in their radio and television programs (**Rapple, Easter, and Schmid, 1997**).

The World Intellectual Property Organization (WIPO) created in 1967, the U. N. Educational, Scientific and Cultural Organization (UNESCO) and the World Trade Organization (WTO) are now charged with administrating the Trade-Related Aspects of Intellectual Property Rights (TRIPS). These organizations, together with national legislatures, keep these conventions and national copyright acts current through amendments. As stated earlier, USA,

UK and several countries world over have made the provision of copyright in order to protect the legacy of human creation (**Aswath, 2012**).

The TRIPS agreement introduced an intellectual property law into the international trading system for the first time and remains the most comprehensive international agreement on intellectual property to date. As per TRIPS the different types of IPRs are: a) Patents: A government granted and secured the legal right to prevent others from practicing. b) Copyrights and related rights: A set of property rights vested in the owner of a protected work. c) Geographical Indications: Place names used to identify products, with particular characteristics as they come from specific places. d) Industrial Designs: Features conceived in the authors' intellect regarding pattern, ornament etc., applied to an article and not the article itself. e) Trademarks: Identification symbol used in the course of trade to enable the purchasing public to distinguish one trader's goods from the similar goods of other traders.

Need of Intellectual Property Laws

Intellectual property laws provide a framework for rewarding creative people. Without them, inventors would derive no benefit from new ideas, artists would not gain from their work, and the investment made in works such as books, films and software would never be recouped. The fact that creativity is rewarded tends to stimulate new creativity, which has benefits for society as a whole.

Industrial intellectual property protects the consumer – branding and trademarks give the consumer confidence that what they are buying will meet their expectations. For a cultural heritage institution involved in digitization projects, the enforcement of intellectual property laws implies that the institution can safely place information online; in order to stimulate interest in its holdings, without the risk that the published material will be re-used without permission. However, it also places a responsibility on the institution, to ensure that it has copyright clearance from the right-holders, and to take appropriate measures to protect its intellectual property rights, to encourage the creation of new and useful works by providing incentives to creators.

Copyright gives an intellectual work some attributes of private property, allowing the creator to control how the work is used and to make money from it if others are willing to pay for its use. On the other hand, we want society as a whole to benefit from new ideas and information, and so copyright protection is limited. Copyright protects only the form in which ideas and information are expressed. Copyrights expire after a certain period of time. And the law allows certain limited uses of copyrighted material by others, without the creator's permission. The most important such use is 'fair use'.

What is Copyright, Infringement, Plagiarism and Fair Use?

Copyright infringement and plagiarism both are two different things. Plagiarism is the misappropriation of another's work, passing it off as your own without indicating the source. It is possible to plagiarize a work without infringing the copyright; for example, if you take another's ideas without proper attribution, even though you do not copy the language, or you borrow from a work whose copyright has expired. Conversely, it is possible to infringe without plagiarizing. Properly citing the work you are copying does not avoid liability for infringement.

'Fair use' is the right to use a copyrighted work under certain conditions without permission of the copyright owner. The doctrine helps prevent a rigid application of copyright law that would stifle the very creativity the law is designed to foster. It allows one to use and build upon prior works in a manner that does not unfairly deprive prior copyright owners of the right to control and benefit from their work.

Libraries have marched hand in hand, adapted and adopted themselves when any new technology had evolved paving the way for electronic libraries, networked libraries, digital libraries, virtual libraries etc. in each of the situations when libraries transformed there had been problem situations which have been tried to overcome, solve and find a resolution.

Digital Rights Management (DRM)

The term "Digital Rights Management" (DRM) has its origins in the combined efforts of some vendors, their marketing staff and some other industry analysts in the late 1990s. Digital Rights Management refers to the technologies and processes that are applied to describe the digital content and to identify the user. Further, it refers to the application and enforcement of the usage rules in a secure manner.

From Wikipedia "Digital rights management (DRM) schemes are various access control technologies that are used to restrict usage of proprietary hardware and copyrighted works. DRM technologies try to control the use, modification, and distribution of copyrighted works (such as software and multimedia content), as well as systems within devices that enforce these policies".
The Digital Millennium Copyright Act (DMCA) is a United States copyright law that implements two 1996 treaties of the World Intellectual Property Organization (WIPO). It criminalizes production and dissemination of technology, devices, or services intended to circumvent measures (commonly known as digital rights management or DRM) that control access to copyrighted works. It also criminalizes the act of circumventing an access control, whether or not there is actual infringement of copyright itself. In addition, the DMCA heightens the penalties for copyright infringement on the Internet passed on October 12, 1998, by a unanimous vote in the United States Senate and signed into law by President Bill Clinton on October 28, 1998, the DMCA amended Title 17 of the United States Code to extend the reach of copyright, while limiting the liability of the providers of online

services for copyright infringement by their users. In steady to make move against DRM prophecies there are some initiative supported by individuals, agencies for promoting interoperability standards e.g. Open Archive Initiatives (OAI).

Open Archives Initiative

The Open Archives Initiative develops and promotes interoperability standards that aim to facilitate the efficient dissemination of content. The Open Archives Initiative has its roots in an effort to enhance access to e-print archives as a means of increasing the availability of scholarly communication. Continued support of this work remains a cornerstone of the Open Archives program. The fundamental technological framework and standards that are developing to support this work are, however, independent of the both the type of content offered and the economic mechanisms surrounding that content, and promise to have much broader relevance in opening up access to a range of digital materials. As a result, the Open Archives Initiative is currently an organization and an effort explicitly in transition, and is committed to exploring and enabling this new and broader range of applications, through which greater knowledge of the scope of applicability of the underlying technology and standards being developed.

The e-copyright and copyright are more or less same. But the difference lies in their process of dealings. The licensing agreements in DRM apply unexpected restrictions on the use of scholarly materials. This system has rejected the forms of access that the academic community has always considered as fair.

Need of the Study

The Aligarh Muslim University is a prestigious premier central university which is located in the northern part of India. It is a residential academic institution which was established in 1920. Sir Syed Ahmad Khan, a great reformist of his age, who felt the need of modern education for Muslims, started a school swayback in 1875 which later became a college under the title of "Mohammedan Anglo Oriental College" and ultimately became a university. This is a premier university comes under the central government.

The Library of the Aligarh Muslim University, called Maulana Azad Library is one of the largest university libraries of the world which provides access to about 18,00,000 volumes of books, 60,000 plus current journals and about 20,00,000 research papers in hard and soft copies. Maulana Azad Library is the Central Library of the University with over 100 sister libraries (college/seminar libraries). It is a World famous repository of rare manuscripts and books in Urdu, Persian and Arabic languages.

The present study is going on to evaluate the level of awareness of intellectual property rights and the digital rights management (DRM) among the Library professionals those are working

in the Maulana Azad library. Apart from this, this study also highlights the knowledge about IPR and DRM of the research scholars of the faculty of social science.

Singh and Davi (2004) state that LIS professionals should be aware about IPR in the digital era, whereas **Cheema, Z., Mahmood, S., Mahmood, A., & Shah, M. A. (2011)** point out that every researchers need to be aware concerning IPR, 'plagiarism, types of plagiarism and penalties of plagiarism They also believed that in the present scenario researchers should know how to avoid plagiarism in their research work. Thereafter, the present study seeks to examine the level of awareness about IRP and copyright.

Objectives of Study

The aim of the study is to create awareness of IPR, Copyrights and Digital Rights with the following objectives:
- To identify the level of awareness regarding IPR and Digital Rights among LIS professional and research scholar at AMU.
- To find out the consciousness about Plagiarism and fair use for the research work by the researchers.
- To recommend plausible suggestions regarding the control and avoid plagiarism in their research work.

Methodology

The present study is a survey research with the target audience as Research Scholars of the faculty of Social Sciences and Library Professionals of Maulana Azad Library. Structured Questionnaire was used as a major research tool. Simple calculations are used for Data Analysis. Questionnaires were distributed among 130 Respondents of which 95 were received back comprising of 40 Library Professionals and 55 Research Scholars.

Finding from the Survey

As the Aligarh Muslim University is one of the renowned Central Universities of the country and the Library Professionals and Research Scholars are expected to be well aware of the different facets of IPR. The response rate was 80% of the target audience. The study shows the results of awareness about IPR and Digital Rights Management. The findings of the study can be mentioned as follows:

Awareness about IPR and Copyrights

Fig.1 Awareness about IPR and Copyrights
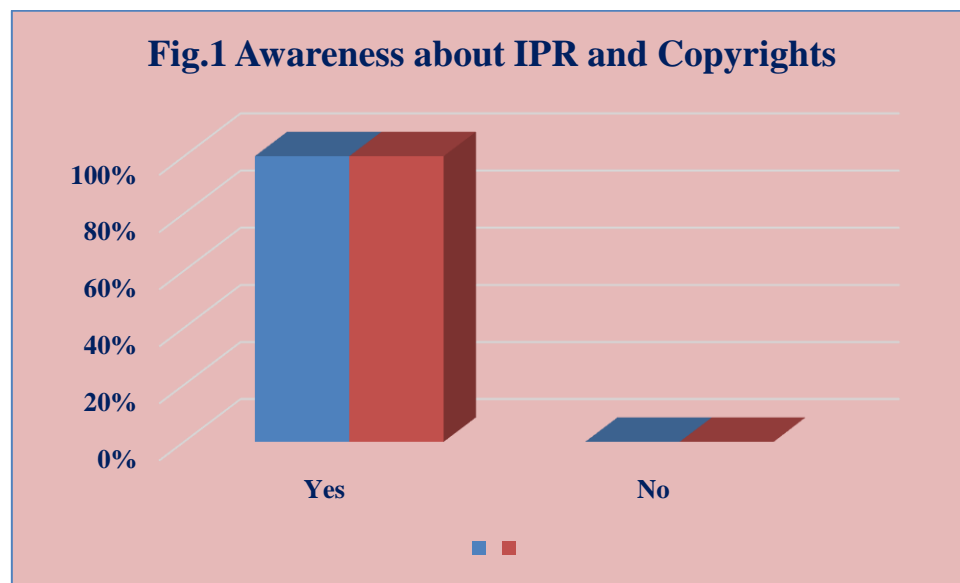
Above figure 1 Shows that 100% population of both respondents are aware about IPR and Copyrights. These results show that users and information providers both are concerned about rights of intellectuals. This finding supports the finding of Sofia and Kasam that most of the research scholars are aware about IPR and copyrights.
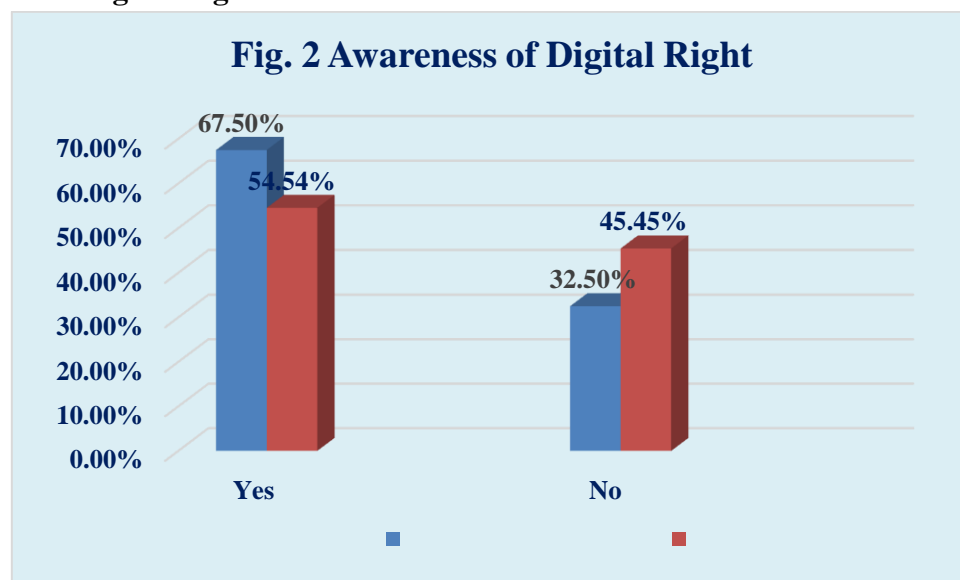
Awareness of Digital Right

Fig. 2 Awareness of Digital Right

Figure 2 shows that 67.5% Library Professional and 54.54% Research Scholars are aware about Digital Rights. Hence awareness of Library Professional is more than Research Scholars.

Knowledge of 'Fair Use'

Fig.3 Knowledge of 'Fair Use'
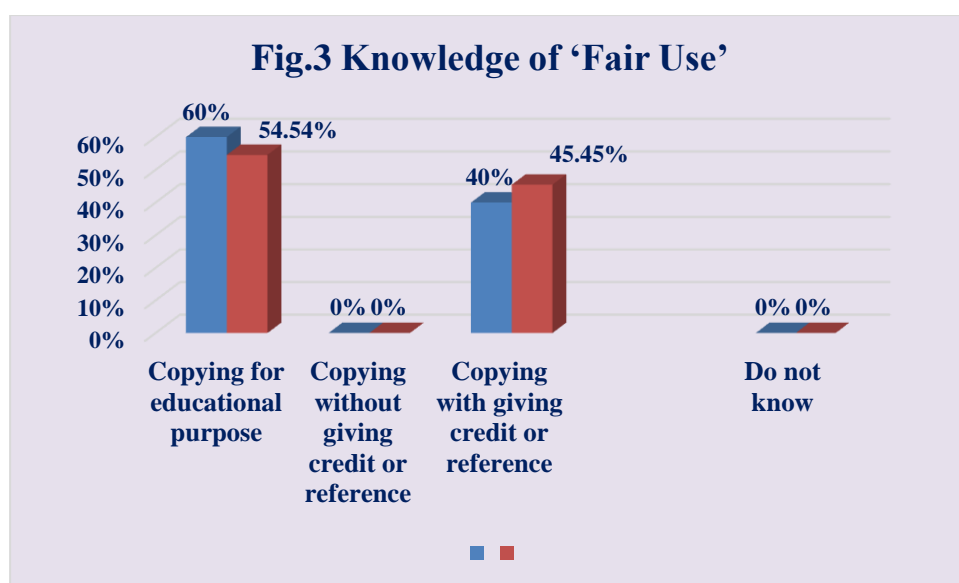
Figure 3 indicates that 60% Library Professionals and 54.54% Research scholars are of the view that fair use is 'Copying for educational purpose' while 40%Library Professionals and 45.45%Research Scholars agree with 'Copying with giving credit or reference'.
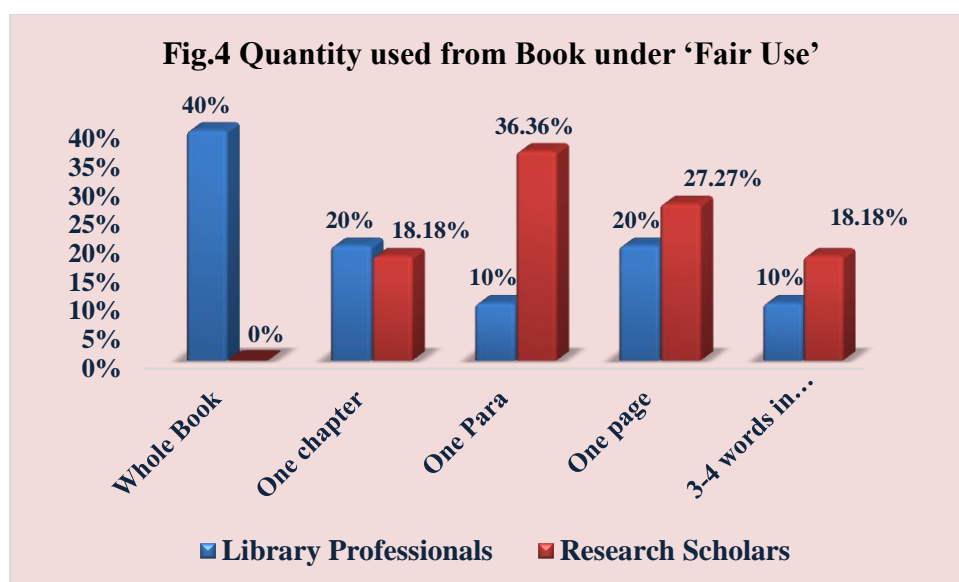
Quantity used from Book under 'Fair Use'

Fig.4 Quantity used from Book under 'Fair Use'

Figure 4 shows that 40% Library professionals and 0% Research Scholars agree with copying the whole book, but 10% Library Professionals and36. 36% Research Scholars agree with One Para (quantity or content) can be used from book under fair use.

Content used from the Journal under 'Fair Use'

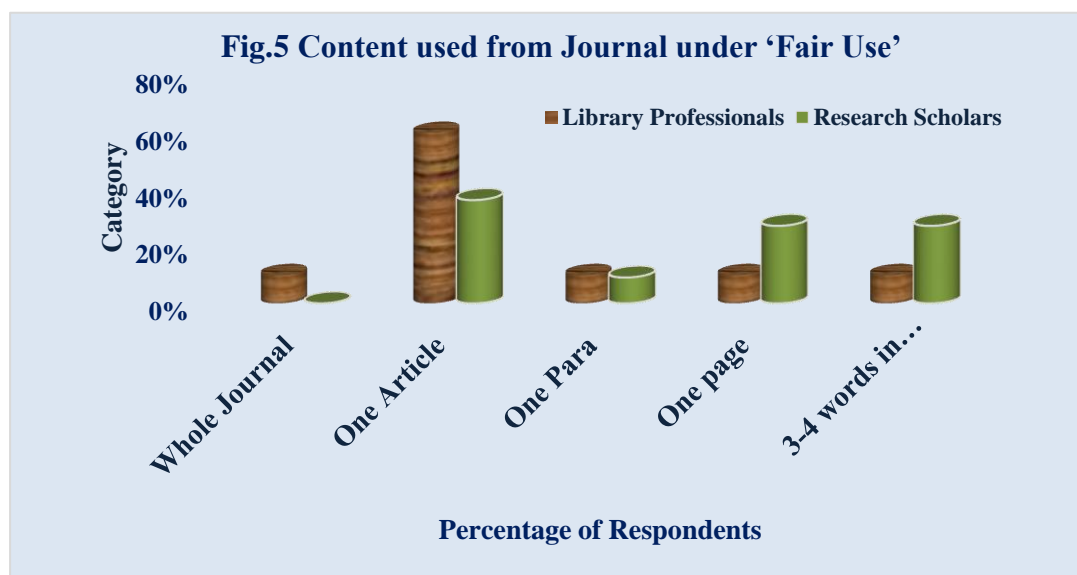Fig.5 Content used from Journal under 'Fair Use'

Figure 5 shows that 60% Library Professionals agree with copy 'One Article' from journal and 36.36% Researcher are also agree with the same.

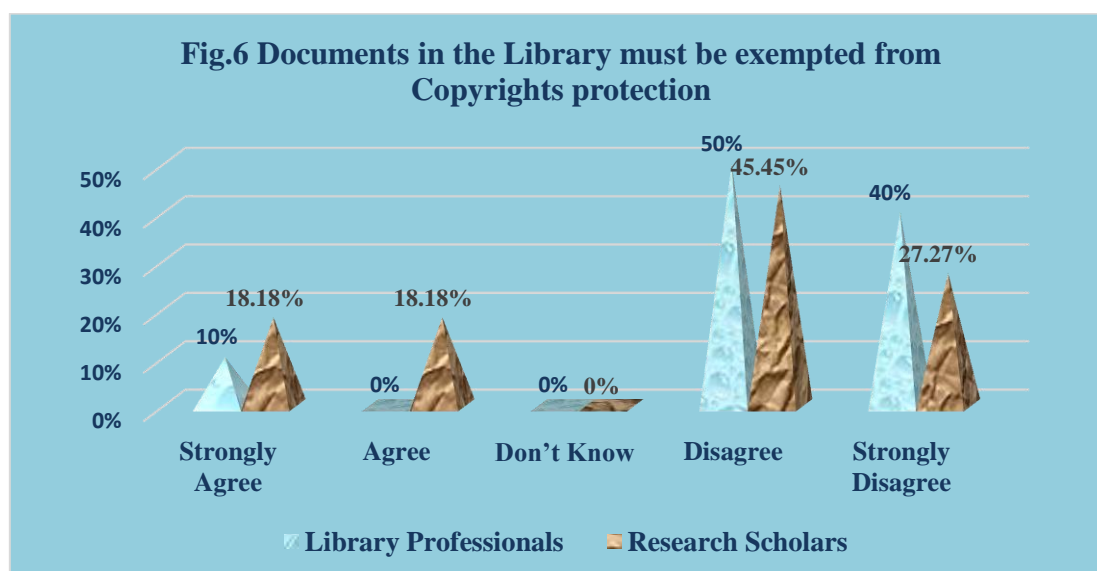**Documents in the library must be exempted from Copyrights protection**

Fig.6 Documents in the Library must be exempted from Copyrights protection

Figure 6 shows that most of the library professionals and research scholars are disagree that documents must be exempted from copyrights protection in which 50% are Library Professionals and 45.45% are Research Scholars.

The problem faced while getting permission from Copyrights Holder by the Library (For Library Professionals only)

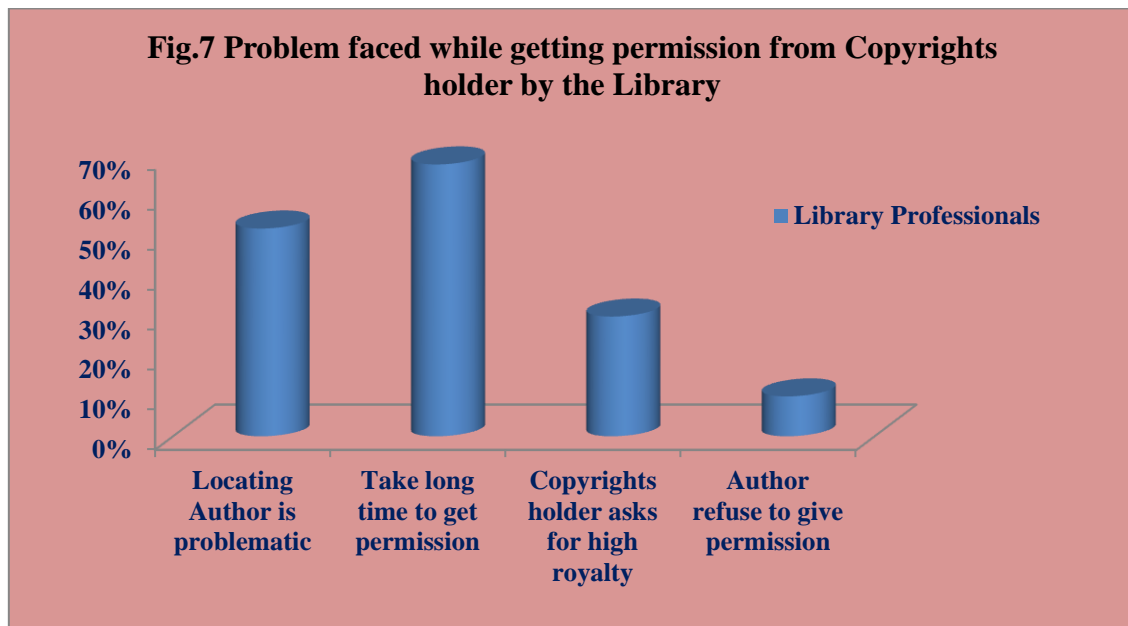**Fig.7 Problem faced while getting permission from Copyrights holder by the Library**

Figure 7 Shows that 68% Library Professionals are facing and 52% choose 'Take long time to get permission' option because they said they had not in direct touch of Authors.
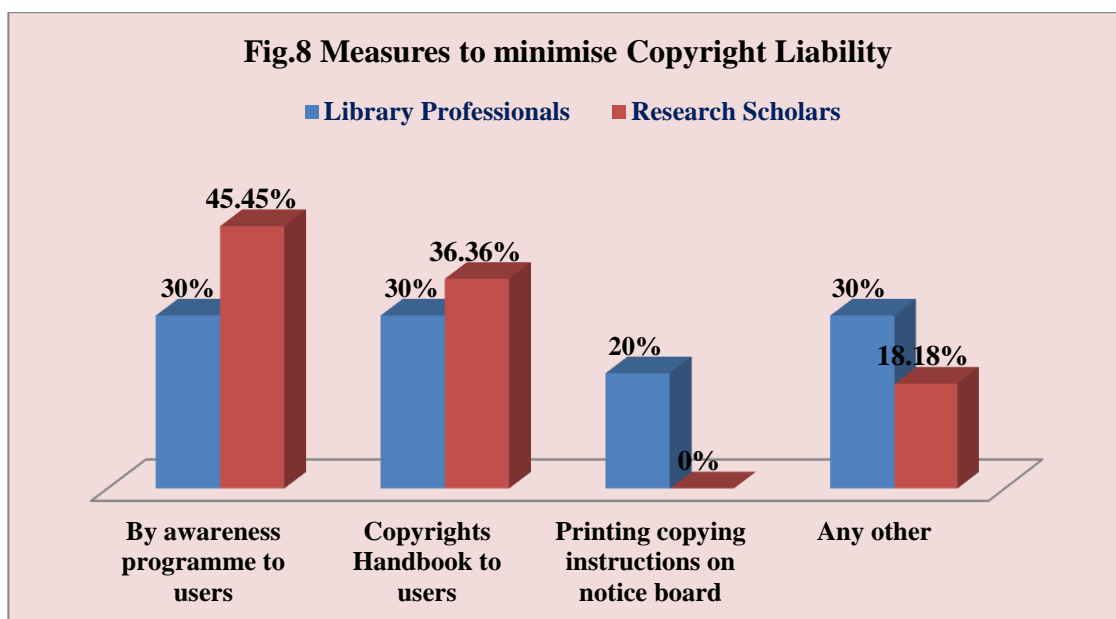
Measures to minimize Copyright Liability

Fig.8 Measures to minimise Copyright Liability

Figure 8 shows that maximum numbers of respondents agree with 'Copyrights liability' will be minimized through an awareness program for users.

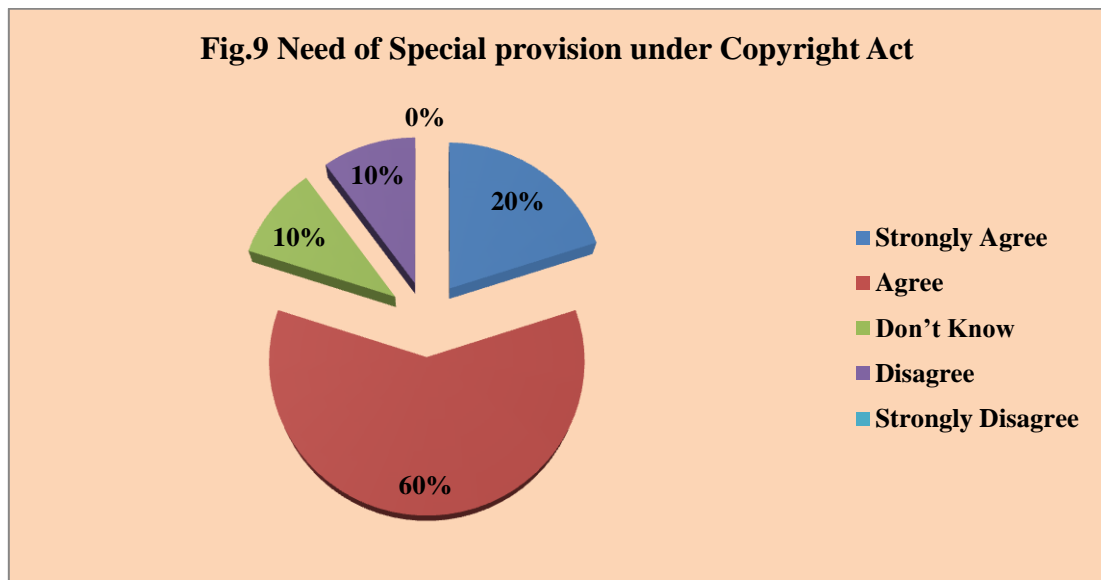**Need of "Special provision under Copyright Act" for library concerning library services (For Library professionals)**

Fig.9 Need of Special provision under Copyright Act

- Strongly Agree
- Agree
- Don't Know
- Disagree
- Strongly Disagree

Figure 9 shows that there should be need of special provision under the Copyright Act for library services.

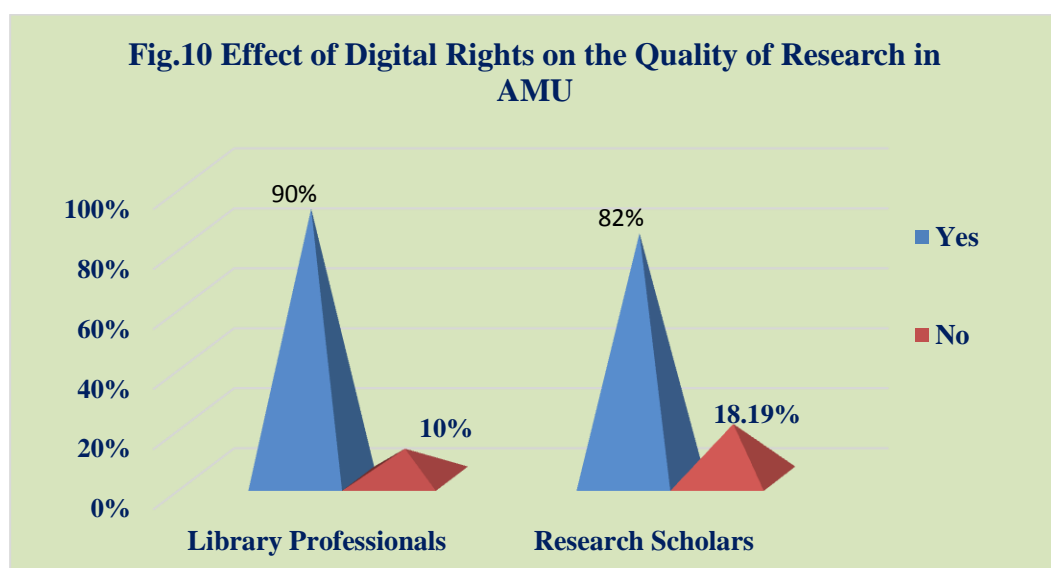**Effect of Digital rights on the Quality of Research in AMU**

Fig.10 Effect of Digital Rights on the Quality of Research in AMU

Figure 10 shows that the maximum number of both the respondents accept that the Digital Rights will improve the quality of research in AMU.

Awareness of difference between Digital Rights and Copyrights

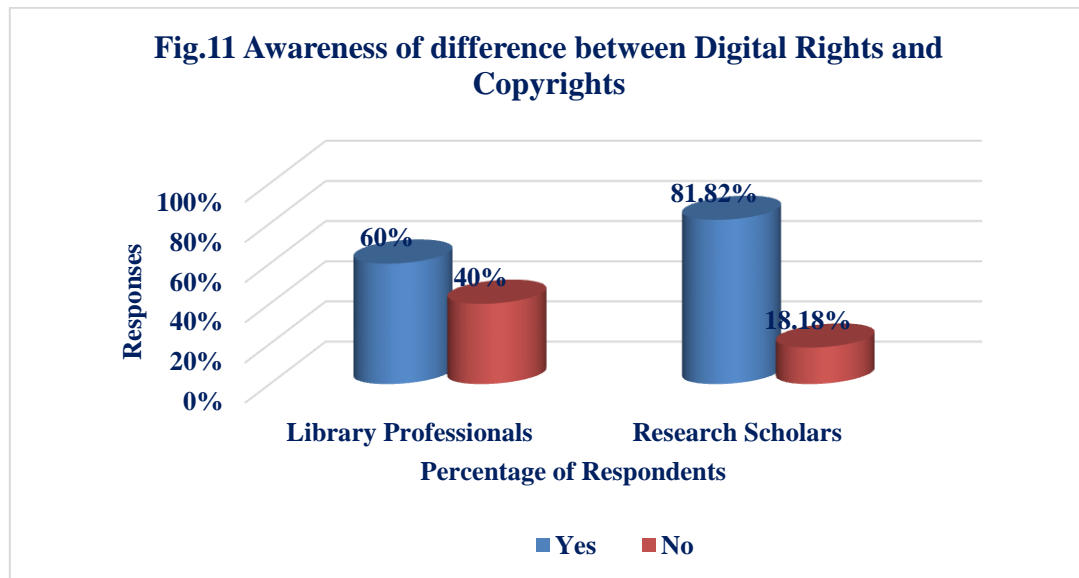**Fig.11 Awareness of difference between Digital Rights and Copyrights**

Figure 11 indicates that 60% Library Professionals and 81.82% Research Scholars know the difference between Digital Rights and Copyrights.
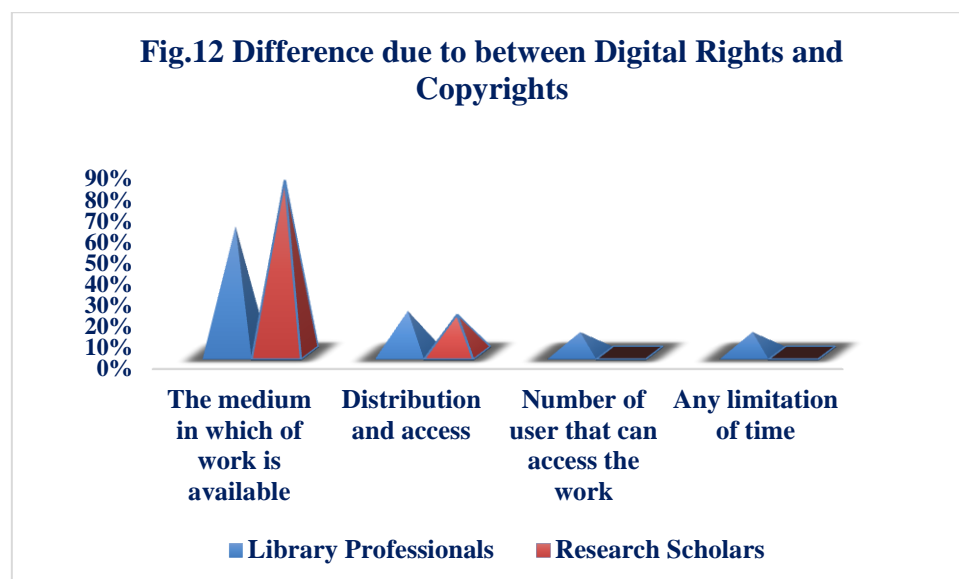
Reasons of differences

Fig.12 Difference due to between Digital Rights and Copyrights

Figure 12 shows that most of the respondents know that the difference between Digital Rights and Copyrights is due to 'medium to work'.

Awareness of plagiarism

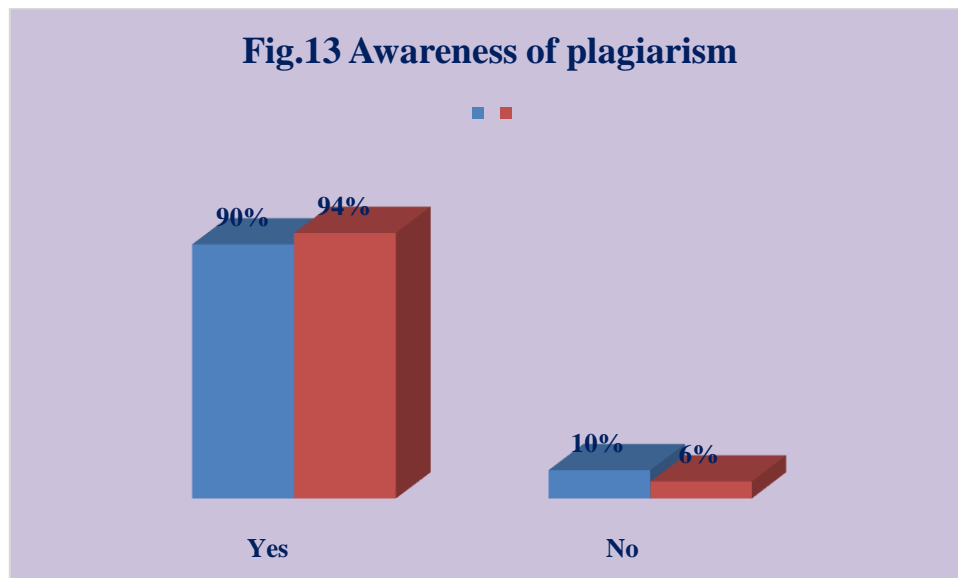### Fig.13 Awareness of plagiarism

Figure 13 indicates that Research Scholars are more aware about 'Plagiarism' than Library Professionals. Analysis shows that awareness of software to control plagiarism is 55% among Library Professional and 63.63% among Research Scholars.
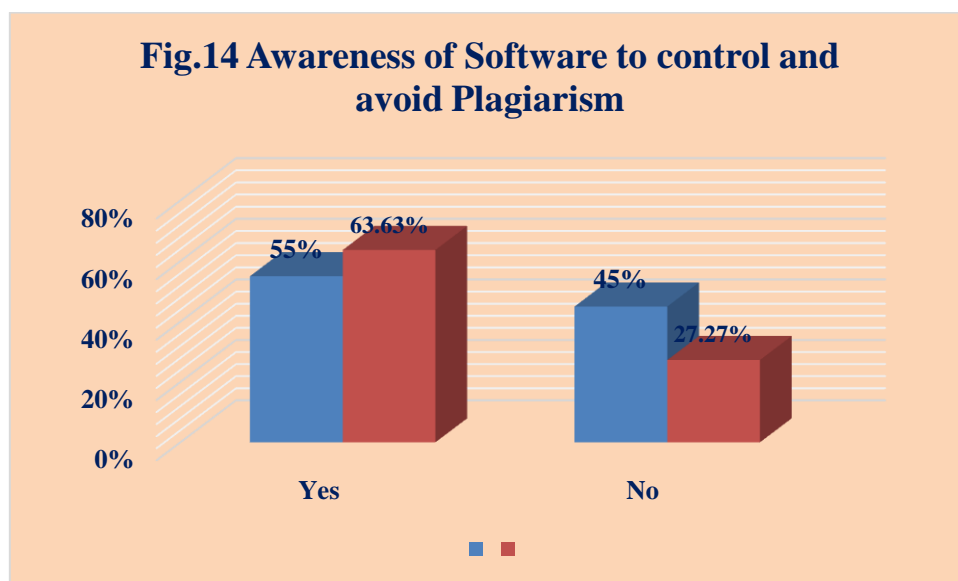
Awareness of Software to control and avoid Plagiarism

Fig.14 Awareness of Software to control and avoid Plagiarism

Figure 14 indicates that Research Scholars are more aware about 'Plagiarism' than Library Professionals.

Conclusion & Suggestions

Copyright violation represents a considerable source of financial loss. While there are many advantages of using digital media, shortcomings do exist as well. The ease, with which perfect digital copies are produced, creates great concern to multimedia content providers. IPR, copyright and digital right is necessary for both of them e.g. for information providers as well as creators of information and users of information because in the digital era detection of violation of rights is very challenging job. The study shows that most of the Library Professionals and Research Scholars are aware about IPR, copyright and digital rights, but awareness is more among Research Scholars than Library Professionals. The study finds that Awareness of Plagiarism and its software is more among Research Scholars than Library Professionals. The study suggested that there should be a Training Programme of awareness about Intellectual Property Rights and Digital Rights for both Library Professionals and Research Scholars.

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