

DOCTRINE OF FAIR USE AND LAW RELATING TO PLAGIARISM

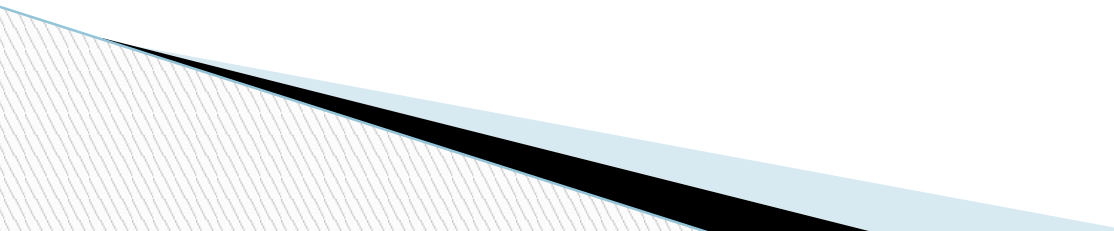
PRESENTED BY
DR. ZUBAIR AHMED



THE COPYRIGHT ACT 1957

PROTECTS:

Under Section 14:

- ▶ **LITERARY WORK**
 - ▶ **ARTISTIC WORK**
 - ▶ **DRAMATIC WORK**
 - ▶ **SOUND RECORDING**
 - ▶ **CINEMATOGRAPHY FILM**
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INFRINGEMENT OF COPYRIGHT

SECTION 51:

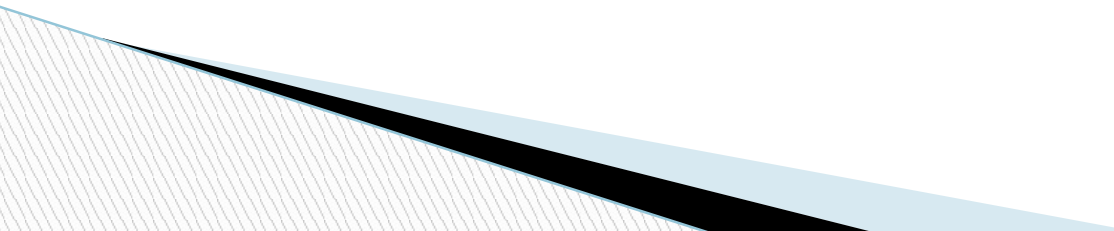
Copyright in a work shall be deemed to be infringed—

If anyone does anything, which is the exclusive right of the proprietor without the prior approval of the owner.

Examples: Makes for sale, hire any infringing copies of the work, reproduces the work, by way of trade exhibits in public.

DOCTRINE OF FAIR USE U/S 52

FOLLOWING AMOUNTS TO FAIR USE:

- ▶ **USE FOR PRIVATE EDUCATIONAL PURPOSE**
 - ▶ **CRITICISM OF THE WORK**
 - ▶ **PERSONAL USE (WHEN OWNER DONOT INCUR LOSS)**
 - ▶ **NON- COMMERCIAL USE**
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PLAGIARISM

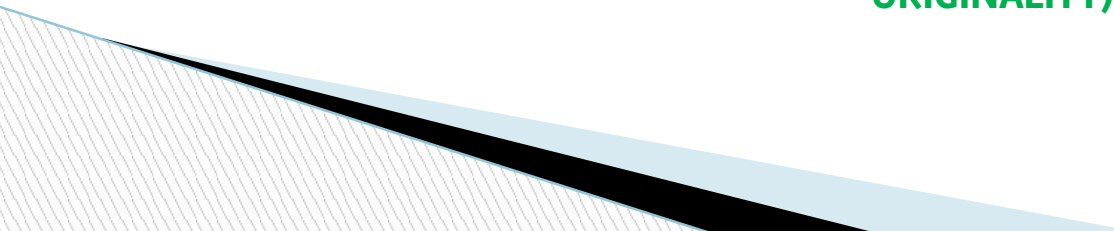
(DERIVED FROM LATIN WORD “PLAGIUM” MEANING KIDNAP OR ABDUCT)

LITERARY THEFT OF ONE’S IDEA AND SHOWING IT AS YOUR OWN
YOU SHALL NOT STEAL BUT PARAPHRASING TO AN EXTENT ACCEPTABLE

WHENEVER WE HAVE TO WRITE SOMETHING, WE STUDY DIFFERENT SOURCES SUCH AS BOOKS, JOURNALS, ARTICLES ETC. THROUGH THIS READING WE UNDERSTOOD THE TOPIC AND THEN START WRITING. **BUT**..... WHILE WE START TO WRITE WE MUST GIVE DUE REGARDS TO THE SOURCES FROM WHERE WE DERIVED THE IDEAS OR THE MATERIALS.

(CITATION IN THE FORM OF FOOTNOTE, ENDNOTE OR REFERENCES, BIBLIOGRAPHY)

TYPES OF PLAGIARISM

1. **THE GHOST WRITER** (WORD TO WORD COPY)
 2. **THE PHOTOCOPY** (SIGNIFICANT PORTION COPIED WITHOUT ALTERATION)
 3. **THE POTLUCK** (COPYING FROM SEVERAL DIFFERENT SOURCES)
 4. **THE SELF-STEALER** (BORROWING FROM ONE'S OWN PREVIOUS PUBLISHED WORK, WITHOUT CITING)
 5. **FORGOTTEN FOOTNOTE** (HALF REFERENCES, NAME ONLY)
 6. **THE RESOURCEFUL CITER** (ALMOST ALL THE WORK ARE PROPERLY CITED, BUT NO ORIGINALITY)
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INFRINGEMENT IN CONTEXT OF PLAGIARISM UNDER COPYRIGHT ACT 1957

▶ **SECTIONS: 57 & 63.**

SECTION 57:(1) (b): UNAUTHORISED USE OF WORK OR DISTORTION OF WORK, AMOUNTS TO INFRINGEMENT.

▶ **SECTION 63: PUNISHMENT**

**6 MONTHS – 3 YEARS IMPRISONMENT
OR
COMPENSATION
OR
BOTH OF THE ABOVE.**

SOME PROMINENT CASES

1. B.S. RAJPPOT CASE

(VICE CHANCELLOR OF KUMAON UNIVERSITY, UTTARAKHAND).

OCTOBER 2002; STANDFORD UNIVERSITY PROFESSORS COMPLAINT: **LOSS OF JOB.**

2. CHANDRA KRISHANAMURTY CASE

(VICE CHANCELLOR OF PONDICHERRY UNIVERSITY)

2013:**LOSS OF JOB.**

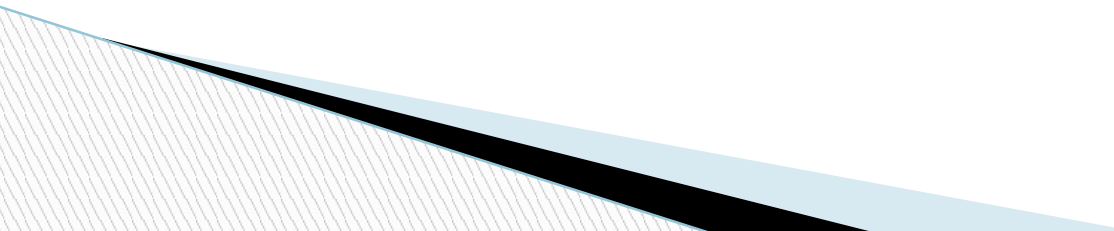
3. DEEPAK PENTAL CASE

(EX- VICE CHANCELLOR OF DELHI UNIVERSITY)

SPENT NIGHTS IN JAIL : **LOSS OF JOB.**

SOFTWARE TO CHECK PLAGIARISM

FREE SOFTWARE

- ▶ **DUPLI CHECKER**
 - ▶ **COPYLEAKS**
 - ▶ **PAPER RATER**
 - ▶ **PLAGIARISMA**
 - ▶ **PLAGIARISM CHECKER**
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PAID SOFTWARE

- ▶ **URKUND (UGC REFERRED/ INSTITUTIONAL)**
 - ▶ **VIPER**
 - ▶ **TURNITIN**
 - ▶ **ITHENTICATE**
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THANK YOU

