

[Act No. 3134, March 06, 1924]

AN ACT TO PROTECT INTELLECTUAL PROPERTY

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. This Act shall be called the Copyright Law of the Philippine Islands.

SEC. 2. Copyright may be secured by any citizen of the Philippine Islands or of the United States for any work falling within the following classes of work:

- (a) Books, including composite and cyclopedic works, manuscripts, directories, gazetteers, and other compilations;
- (b) Periodicals, including pamphlets;
- (c) Lectures, sermons, addresses, dissertations prepared for oral delivery;
- (d) Dramatic or dramatico-musical compositions;
- (e) Musical compositions with or without words;
- (f) Maps, plans, sketches, charts, drawings, designs;
- (g) Works of art; models or designs for works of art;
- (h) Reproductions of a work of art;
- (i) Drawings or plastic works of a scientific or technical character;
- (j) Photographs, engravings, lithographs, lantern slides, cinematographic pictures;
- (k) Prints and pictorial illustrations;
- (l) Dramatizations, translations, adaptations, collections, compilations, abridgments, arrangements, commentaries, critical studies, abstracts, versifications;
- (m) Other articles and writings.

Provided, nevertheless, That any error in classification shall not invalidate or impair the copyright protection secured under this Act.

SEC. 3. The proprietor of a copyright or his heirs or assigns shall have the exclusive right:

- (a) To print, reprint, publish, copy, distribute, multiply, sell, and make photographs, photo-engravings, and pictorial illustrations of the copyrighted work;
- (b) To make any translation or other version or extracts or arrangements or adaptations thereof; to dramatize it if it be a non-dramatic work; to convert it into a non-dramatic work if it be a drama; to complete or execute it if it be a model or design;
- (c) To exhibit, perform, represent, produce, or reproduce the copyrighted work in any manner or by any method whatever for profit or otherwise; if not reproduced in copies for sale, to sell any manuscripts or any record whatsoever thereof;
- (d) To make any other use or disposition of the copyrighted work consistent with the laws of the land.

SEC. 4. For the purpose of this Act articles and other writings published without the names of the authors or under pseudonyms are considered as the property of the publishers.

SEC. 5. Lines, passages, or paragraphs in a book or other copyrighted works may be quoted or cited or reproduced for comment, dissertation, or criticism.

News items, editorial paragraphs, and articles in periodicals may also be reproduced unless they contain a notice that their publication is reserved or a notice of copyright, but the source of the reproduction or original reproduced shall be cited. In case of musical works parts of little extent may also be reproduced.

SEC. 6. The copyright provided for by this Act shall protect all the copyrightable component parts of the work copyrighted and all matter therein but without extending or diminishing the duration or scope of such copyright. The copyright upon composite works shall give to the proprietor thereof all the rights in respect thereto which he would have if each part were individually copyrighted under this Act, but if the component parts or matters therein have already been copyrighted then the copyright secured for the former is subservient to the latter.

SEC. 7. Collections, compilations, abridgments, adaptations, commentaries, critical studies, abstracts, versifications, arrangements, dramatizations, translations, and other versions of copyrighted works when produced with the consent of the proprietor thereof or of works enumerated in the next section, or works republished or reproduced with new matter and editions with corrections or alterations shall be regarded as new works subject to copyright under the provisions of this Act; but the publication of any of such new works shall not affect the force or validity of any subsisting copyright upon the matter employed or any part thereof, or be construed to imply an exclusive right to such use of the original works, or to secure or extend copyright in such original works.

SEC. 8. No copyright shall subsist in the original of any work which is in the public domain, or in any publication and official document of the Philippine Government, or any reprint, in whole or in part, thereof, and in speeches, lectures, sermons, addresses, and dissertations pronounced or read in courts of justice, before administrative tribunals, in deliberative assemblies, and in meetings of public character.

SEC. 9. Copyright secured is not subject to levy and attachment.

SEC. 10. The provisions of this Act shall extend to the work of a proprietor, who is not a citizen of the Philippine Islands or of the United States, only:

(a) When an alien proprietor shall be domiciled within the Philippine Islands at the time he makes application for copyright; or

(b) When the foreign state or nation of which such proprietor is a citizen or subject grants, either by treaty, convention agreement, or law, to citizens of the United States or of the Philippine Islands the benefit of copyright protection substantially equal to the protection secured to such foreign proprietor under this Act; or

(c) When such foreign state or nation is a party to an international agreement

which provides for reciprocity in the granting of copyright and that the United States or the Philippine Islands may become a party thereto.

SEC. 11. Copyright for a work may be secured by the registration of the claim to such copyright in accordance with the provisions of this Act and by publication thereof with the required notice of copyright upon the front part or title-page of each copy thereof published or offered for sale by authority of the copyright proprietor and by depositing with the Director of the Philippine Library and Museum by personal delivery or by registered mail two complete copies of the copyrighted work or one copy of the issue or issues containing the work if it be a contribution to a periodical. No copyright in any work is considered as existing until the provisions of this Act with respect to the deposit of copies and registration of claim to copyright shall have been complied with.

SEC. 12. Copyright may also be secured for a work not having copies reproduced by the deposit, with claim of copyright, of one complete copy of such work or of a photographic print or of a photograph or other identifying reproduction thereof which in the opinion of the Director of the Philippine Library and Museum is best for the protection of the public. But as soon as the work is reproduced copies the provisions of section eleven shall apply.

SEC. 13. No immoral or unchaste work shall be copyrighted. If it shall be discovered, after a work has been w^o copyrighted, that the said work is, in the opinion of the Attorney-General, of the nature indicated, the copyright secured shall become null and void, and the proprietor shall also be subject to criminal prosecution. Copies of the work deposited and instruments of writing in relation thereto filed with the Philippine Library and Museum shall be destroyed by the Director of the Philippine Library and Museum if so ordered by the Department Head.

SEC. 14. For the purposes of this Act in case of works in series or having several volumes or component parts registered at intervals each series or volume or component part shall be considered as a distinct and separate work subject to copyright.

SEC. 15. Copies deposited with the Director of the Philippine Library and Museum in accordance with the provisions of sections eleven and twelve must be accompanied by an affidavit, under the official seal of any officer authorized to administer oaths within the Philippine Islands, stating where and in what establishments the work was made or performed and the date of the completion of the work or the date of publication and other requisites which the Director of the Philippine Library and Museum will hereafter determine subject to the approval of the Secretary of Justice. Any person making a false statement in his affidavit shall be deemed guilty of a crime punishable by a fine of not more than two thousand pesos, and all of his rights and privileges under said copyright shall thereafter be forfeited.

SEC. 16. The notice of copyright required by section eleven of this Act shall consist of the word "Copyright" accompanied by the name of the copyright proprietor and the year in which the copyright was registered.

SEC. 17. The omission by accident or mistake of the prescribed notice from a