



Government of Nepal
Ministry of Culture, Tourism & Civil Aviation
Nepal Copyright Registrar's Office

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प्रतिलिपि अधिकार बुलेटिन

Copyright Bulletin

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Volume 2, Issue 5

January 14, 2008

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यदि तपाईंसँग बौद्धिक सम्पत्ति, प्रतिलिपि अधिकार एवं तत्सम्बन्धी अधिकारका विषयमा कुनै कानूनी वा अन्य जिज्ञासा भएमा आफूलाई लाग्ने प्रश्नहरू तामीलाई लेखी पठाउनुहोला । यस बुलेटिनका आफ्ना अङ्कहरूमा तपाईंका प्रश्नहरूको उत्तर दिने प्रयास गर्नेछौं ।

धन्यवाद ॥

Mid-Western Seminar on Copyright



A Mid-Western Regional Seminar on Copyright and Related Rights was organized at Birendranagar, Surkhet on December 17, 2007. The objective of the program was to share the information about copyright and find out the level of piracy of copyrighted materials in the region. More than hundred participants from different districts of the region participated in the program. The writers, artists, performers and representatives from different recording companies as well as law enforcing agencies presented their great concern over the subject matter and thanked NCRO for organizing the program in their region. Mr. Netra Bahadur Rawal, for Regional Administrator, as a Chief Guest of the inaugural session requested all the creators to be conscious about the improper and unauthorized use of their intellectual property. He highlighted that real creators have been facing different types of problems in developing countries because of infringement. He also requested to the creators do not hesitate to follow the legal path if they are deceived by cheaters. Addressing the ceremony, Mr. Deependra Adhikari, Honorable Judge of Surkhet District Court emphasized on the importance of awareness programs in related subject matter.

In the second session of the program, two different papers on the related subject matter were presented by Mr. Janma Jaya Regmi, Registrar of NCRO and Mr. Jibendra Dev Giri, a creator of the region. While presenting the paper, Mr. Regmi and Giri both requested all the participants to be careful about their

intellectual property and not to undermine it. Including the commentators of the papers Mr. Binod Kumar Pokharel and Mr. Pitambar Dhakal, Mr. Tika Pokharel, Mr. Premdhaj Shahi, Mrs. Laxmi Khadka, Mr. Liladhar Gautam, Mrs. Saraswoti Gautam, Mr. Khopiram Lamsal, Mr. Keshar Singh Rana, Mr. Akhtar Ali Ansar, Mr. Jeevan Shakya and Mr. Surendra Neupane also expressed their views in the program. The program was concluded after the reply of the queries raised in the program by Mr. Janma Jaya Regmi, Registrar of NCRO.

SAM Conference Held



Nepal Copyright Registrar's Office (NCRO) and Forum for Information Technology (FIT) Nepal jointly organized a one day Software Asset Management (SAM) Conference on January 14, 2008 in Kathmandu which was supported by High Level Commission for Information Technology (HLCIT), National Information Technology Center (NITC), Computer Association of Nepal (CAN) and Copyright Protection Society of Nepal (CPSN). The program was aimed to raise the awareness to control the piracy of computer

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Copyright does not protect ideas or mere facts.

News and Events:

Participation in WIPO Asia-Pacific Forum of Heads of IP Offices

World Intellectual Property Organization (WIPO) organized a "WIPO Asia-Pacific Forum of Heads of Intellectual Property Offices" in Singapore on December 4-6, 2007. The representatives were from different 29 countries of Asia-Pacific Region. Mr. Tilak Ram Sharma, General Manager, Department of Industry and Mr. Janma Jaya Regmi, Registrar, Nepal Copyright Registrar's Office participated in the program from Nepal as the Heads of Nepalese IP Offices. The objective of the program was to provide a platform for high level discussions and exchange information on current IP issues and developments relating to the administration of IP Rights. It had also aimed to share experiences and best practices in meeting common challenges and identify future priorities and needs of the IP offices in Asia and the Pacific Region. The forum made a commitment to provide necessary assistance to strengthen the IP offices of developing nations situated in Asia-Pacific.

Assistance for the Students

Nepal Copyright Registrar's Office issued a public notice demanding the application from the L.L.M students who were willing to write dissertation paper on copyright related issues. Later, the office concluded the selection procedure of two students to provide economic assistance to write the paper.

Eastern-Development Regional Seminar on Copyright and Related Rights

Nepal Copyright Registrar's Office (NCRO) organized a one day Regional Seminar on "Copyright and Related Rights" at Biratnagar, Morang on November 25, 2007. About one hundred thirty five people from different sectors participated in the program. More than hundred creators including writers, artists,



lyricists, music composers, performers and related others representing from different districts of Eastern Development Region actively took part in the Seminar. Inaugurating the program, the Honorable Minister for Culture, Tourism and Civil Aviation Mr. Prithvi Subba Gurung expressed his view that in today's world the development of any country is possible only with the proper use of creations of the creators, traditional knowledge, all types of information and intellectual property as well. He showed his concern over the lacking of creators' consciousness for the protection of their rights. He also said that the coordinated effort among the Ministry of Culture, Tourism & Civil Aviation, Ministry of Home, Ministry of Finance and Office of the Attorney General is very essential to enhance the capacity of law enforcing authorities in combating with the piracy. Speaking at the program, senior linguist and Chairman of the program

Mr. Bala Krishna Pokharel expressed his gratitude towards NCRO for organizing the seminar at Biratnagar. He asked all the creators to be conscious about their own rights and unauthorised use of their creations. Three papers on different topics were presented by Mr. Janma Jaya Regmi, Registrar of NCRO, Mr. Ramesh Pokharel and Mr. Dahiraj Subedi. Chief District Officer of Morang district Mr. Madhav Prasad Regmi, Advocate Mr. Ramesh Koirala, Senior writers Mr. Parasu Pradhan and Bhanubhakta Pokharel including Mr. Dinesh Kumar Shrestha, Mr. Krishna Bhusan Bal, Mrs. Ganga Subedi, Mrs. Manju Sharma, Mrs. Maya Poudel, Mr. Chandramani Neupane, Mr. Narayan Tiwari also expressed their views in the program. The Program was conducted by Mr. Narayan Prasad Aryal, Section Officer of NCRO and concluded with the reply of queries raised by the participants and vote of thanks by Mr. Janma Jaya Regmi, Registrar of NCRO.

Preparation for WIPO Asia-Pacific Regional Symposium

The preparation for WIPO Asia-Pacific Regional Symposium is going on. World Intellectual Property Organization (WIPO) is going to organize a Asia-Pacific Symposium on "Emerging Issues of Copyright and Related Rights in the Audiovisual Industry" in cooperation with Nepal Copyright Registrar's Office (NCRO) and with the assistance of the Japan Copyright Office (JCO) in Kathmandu, Nepal on January 29 to 31, 2008. The objective of the Symposium is to exchange information and

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A TRAINING PROGRAM WITH THE SCHOOL & COLLEGE STUDENTS

Nepal Copyright Registrar's Office organized a one day training program on copyright and related rights for school/college students on November 19, 2007. The students from different schools of Lalitpur and Bhaktapur districts took part in the program. The training program was basically focused



on copyright and related rights issues in the academic institutions and the role of students for the protection of copyrighted materials in the course of teaching and learning activities. Highlighting the current issues and challenges in copyright sector, three papers were presented in the program by the experts. In the course of interaction, some genuine questions on copyright issues were raised by different participants. The certificate of participation was distributed in that occasion. The closing remark was delivered by Mr. Janma Jaya Regmi, Registrar, Nepal Copyright Registrar's Office at the end of the session.

views on emerging issues and policies for the protection of copyright and related rights in the audiovisual industry and to contribute for the development and expansion of market in the participating countries. About 30 participants from 22 countries of Asia-Pacific Region will be invited in the Symposium. NCRO, as a local organizer, is trying its best for the successful completion of the program.

Preparation for the Study

Nepal Copyright Registrar's Office has finalized the Terms of Reference (TOR) and other essential materials for the study on "Situation of Musical Publications in Western Development Region" and "Identification of Folklores in Eastern Development Region."

WIPO Asia-Pacific Regional Seminar Held in Malaysia

The WIPO Asia-Pacific Regional Seminar on Emerging Issues and Recent Developments of the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT) was held in Kuala Lumpur, Malaysia on December 4-6, 2007. The Seminar was organized by the World Intellectual Property Organization in co-operation with the Intellectual Property Corporation of Malaysia (MYIPO). The objective of the seminar was to exchange information and views on emerging copyright and related rights issues concerning the impact of WCT/WPPT over the developing countries and to discuss and disseminate the concerning policies of the participating countries. Participants from 12 different countries were invited in the program. Mr.

Shiva Prasad Khanal, Legal Officer of Nepal Copyright Registrar's Office also participated in the Seminar. Various papers were presented on the issues and discussions were held to exchange mutual experiences among the participants. On the last day, country reports were presented by the participants and sum up was done by the WIPO officials.

INTERACTION PROGRAM WITH TRAINING INSTITUTIONS

Nepal Copyright Registrar's Office (NCRO) organized an interaction program with different training institutions in Kathmandu on November 7, 2007. Speaking at the program, Mr. Janma Jaya Regmi, Registrar of NCRO requested all the training centers to incorporate the subject matter related with copyright and related rights in their training courses. The representatives from Nepal Administrative Staff College, Revenue Administration Training Center, Educational Manpower Development Center, National Police Training Academy and Local Development Training Academy showed their interest on the proposed training course and made their commitment to include the course in their training programs in near future.

Preparation for the Study

Nepal Copyright Registrar's Office has finalized the Terms of Reference (TOR) and other essential materials for the study on "Situation of Musical Publications in Western Development Region" and "Identification of Folklores in Eastern Development Region."

Q-A Column

1. What is "fair use" of copyright?

Fair use" is a defense to an allegation of infringement under the copyright legislation that excuses otherwise infringing limited use of portions of a copyrighted work without the copyright owner's permission for purposes such as criticism, comment, news reporting, teaching, scholarship or research.

2. What are the basic factors that confine the fair use?

There are some factors that may be considered in deciding whether a use constitutes fair use or not. These factors are:

- A. The purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes;
- B. The nature of the copyrighted work;
- C. The amount and substantiality of the portion used in relation to the copyrighted work as a whole;
- D. The effect of the use upon the potential market or value of the copyrighted work.

3. What are the circumstances where the copyrighted materials can be used without authorization according to the Nepalese Copyright Law?

There are no such hard and fast rules to use the copyrighted materials without authorization of the copyright owner in the existing Copyright Act. Section (16-23) of the Nepalese Copyright Act 2059 presented such provisions which are as followings:-

- ◆ Reproduction allowed for personal purpose
- ◆ Citation allowed
- ◆ Reproduction allowed for teaching and learning
- ◆ Reproduction allowed for library and archives
- ◆ Reproduction, broadcast and other communication allowed for the purposes of information to the general public
- ◆ Importation allowed for personal purposes
- ◆ Public exhibition allowed.

Fair Use Doctrine

In its most general sense, a fair use is any copying of copyrighted material done for a limited and "transformative" purpose such as to comment upon, criticize or parody a copyrighted work. Such uses can be done without permission from the copyright owner.

Another way of putting this is that fair use is a defense against infringement. But the court takes/refuses the defense in favor of the party on the basis of the following grounds:-

- ◆ The Transformative Factor: The purpose and character of use
- ◆ The nature of copyrighted work
- ◆ The amount and substantiality of the portion taken
- ◆ The effect of the use upon the potential market
- ◆ Purposive intention

The Varieties of Right under Collective Management

The Collective Management Organization in each genre protects the following rights:-

- ◆ The right of public performances
- ◆ The right of broadcasting organizations.
- ◆ The mechanical reproduction rights in musical works
- ◆ The performing rights in dramatic works
- ◆ The right of reprographic reproduction of literary and musical works
- ◆ Related rights

Copyright Issues in International Arena

THE NAPSTER CASE ON THE INTERNATE PIRACY

On February 12, 2001, the United States Court of Appeals for the Ninth Circuit rendered its landmark decision in an important legal case, *A&M Records, Inc., et al. Vs Napster, Inc.*, ruling that Napster's "Fair use" defense was without merit. Napster was a hugely successful music file-sharing website and program (up to 10,000 downloads per second), using musical copyrighted works without the authorization of the right holders. It was a business built on illegal transactions, but which, interestingly, has contributed to the development of new business models within the recording industry. ([WIPO, Intellectual Property, WIPO Publication No.888.1, p-26](#))

ACKNOWLEDGEMENT THE SOURCE MATERIALS

Some people mistakenly believe it's permissible to use a work (or portion of it) if an acknowledgment is provided. For example, they believe it's okay to use a photograph in a magazine as long as the name of the photographer is included. This is not true. Acknowledgment of the source material (such as citing the

photographer) may be a consideration in a fair use determination, but it will not protect against a claim of infringement. In some cases, such as advertisements, acknowledgments can backfire and create additional legal claims, such as a violation of the right of publicity. When in doubt as to the right to use or acknowledge a source, the most prudent course may be to seek permission of the copyright owner (http://fairuse.stanford.edu/Copyright_and_Fair_Use_Overview)

WIPO, WTO AND TRIPS

The World Trade Organization (WTO) Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), which came into force in 1995, brought with it a new era in the multilateral protection and enforcement of IP rights. Provisions in the TRIPS Agreement concerning copyright and related rights, patents, trademarks, geographical indications, industrial designs, and layout designs of integrated circuits, directly complement the international treaties administered by the WIPO Secretariat.

An agreement between WIPO and the WTO since 1996 provides for cooperation concerning the implementation

of the TRIPS Agreement such as notification of laws and regulations, and legislative assistance to member countries. Assistance continues to be provided to many developing countries, with a special focus on those least developed countries (LDCs) which need to meet their TRIPS obligations by 2013. (www.wipo.int/ebookshop)

FLOURISHING FILM

Copyright-based industries, such as film, can contribute significantly to a country's economic growth as well as to cultural wealth. In the U.S., the motion picture and television industry provided jobs for more than 1.3 million people in 2005. In India, the US \$ 2 billion film industry is projected to grow at a compound annual rate of 16 percent for the next 5 years. South Korean blockbusters, with ticket sales over 10 million, have fueled the explosion of "Kim Chic" popular culture in the region. Nigeria's "Nollywood" produces over 1,000 films per year which are avidly consumed throughout Africa and beyond. WIPO assists countries in the development and application of copyright systems conducive to growth in the cultural industries. (www.wipo.int/ebookshop)

SAM

software. The Conference was inaugurated by Honorable Mr. Prithvi Subba Gurung, Minister, Ministry of Culture, Tourism and Civil Aviation. On the occasion, Mr. Gurung stressed on the protection of copyright of the copyrighted materials.

Mr. Janma Jaya Regmi, Registrar, NCRO presented his paper on behalf of Nepal Copyright Registrar's Office on the occasion. Similarly, Mr. Sajjan Bar Singh Thapa, Advocate, also presented the paper. On behalf of Microsoft Corporation, Miss Jacqueline Miranda shared her idea on software piracy and Software Asset Management. The financial support was beared by Microsoft Corporation through FIT Nepal. The whole program was moderated by Dr. Madan Pariyar, Member Secretary, HLCIT. The program was closed following cocktail dinner managed by the organizers.

FORTH COMING EVENTS

- WIPO Asia Pacific Regional Symposium on emerging issues of Copyright and Related Rights in the Audio-visual Industry (Jan 20-31, 2008)
- Interaction Program on Copyright & Related Rights (Feb 26, 2008)
- Interaction Program on Copyright & Related Rights (Feb 11, 2008)
- Curriculum Development for Training Programs on Copyright & Related Rights (Feb, 2008)
- Interaction Program on Berne Convention Study Report (To be determined on Feb, 2008)
- Two days workshop on Copyright and Related Rights (with cooperation of WTO) (March, 2008)
- Study Program on folklores of eastern development region's ethnical groups (Feb, 2008)
- Study program on Song, Music of Western Nepal (Feb, 2008)

Other Activities

- ◆ Nepal Copyright Registrar's Office has monitored the various places of Kathmandu Valley including Surkhet, Banke, Dang, Chitwan, Bara, Parsa, Kanchanpur and Kaski districts regarding the infringement of Copyright and Related Rights.
- ◆ Nepal Copyright Registrar's Office has distributed the awareness materials including brochure, bulletin, Copyright Act and Regulation in various places of the country.

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k|f}n-nf0{pknAw u/f0{^#!.\$ df g|kfn ; dfrf/ kqdf 5k|Psf]Pj - pOm k|f}f] ; lxtsf k|f}6/x; 06; \$n]d}f]j ls[tf gln0{c|k|g]f ; #yfs]gfd /M k|tlnk clwsf/sf]p|n3g u/\$f]h}plrt lftkt{ lbnf0{lj k|flnf0{ x}Ddsf] ; hfo ul/k|f}eG]Jox}f]hfx}L b/vf: t /fh}b]dfg6w/n]lbPsf]cfwf/df jfb l g|kfn ; /sf/sf]k|f} cbfntdf k|tlnk clwsf/ Pj, @)% (sf]bkr} @&-! -sf] ; hfo / lftkt{f}kt z=!) ,),),).- -bz nfv_ e/f0{k|f}eG]cleof} b|j l n0{d2f bfo/ u/\$f}f p|n}vt b|j l tYout k|f}ofsf] cfwf/df k|f}Of xg g; Sg]eGb}cbfntn] ; f]dfu b|j l vf/h u/\$f]b|v65 . oBlk ; /sf/L b|j l vf/h eP tklg o; n] ; /f\$sf/jfnfx;df Goflos v|hl ug]G; G6z lbPsf]k|f}65 .

ag{dx; lGw (Berne Convention) df g|kfn]k|z}n]; hgf u/\$f c; / / r}gf]x; z

cfhsf]ou 1fgsf]ou xf]. ; Rgf klj lw, 1fg / c|f}lus plkfbgn]lj Zj e/ c|k|g]f; fdf]lo : yf|kt ug}nd tla|ultdf al9/x\$]f]5 . 1fgsf] k}f]j n] ; }o ann] lgoGqOf ug] kl/kf6lnf0{qndzll lg:t}h k|f]/x\$]f]5 . cfh lj Zj df wgf8d sxlng} 1fgdf cfwf/t ; fdu]sf] k|f}af6 wgl ePsf pbfx/Of Microsoft sf lgdff lan u}b} , h}sf} /f|n^ax; 5g\ . lj sl; t b}zx; 1fgdf cfwf/t l; hgf / ; Rgf klj lwsf d|l}odaf6 c; b}zx;df c|k|g]f]ks8 sfod ug{nflu k/\$f 5g\

lj Zj lj Bfnosf k7k}ts, sDk06/ ; k}j} / , dgf} - hgf]ds kf7d ; fdu, 066/g6, /l}of}6]nehg, nrlrq, ult-; ut c|f}bsf] Jofks l; hgf / ahf]s/Of u/L c6o b}zx;df ; d]. To:tf l; hgf]sf] ; A|f0f u/f0{lj Zj sf sltko b}zx;n]cslkglo nfe lnPsf 5g\ df6/ , df6/ ; f0sn, Sofd}f, /l}of}6]nehg, sDk06/ , Sofnsh} / h:tf ; fdu] tof/ u/L lj Zj ahf/df k|f} ug]afgl a; f0{h}ljgz}h g}k|atg u/fpg lj sl; t b}zx; ; km ePsf 5g\eg] tl ; fdu]sf] k|f} jfkt k|}o} JolOm-kl/jf/n]r}sfpg]dlo ; ldt b}zx;df s|b} xg k|}f 5g\ ol d|b}sltko l; hgf} c|f}lus ; DklQleq kb}g}eg]clwsfz l; hgf} k|tlnk clwsf/leq kb}g}\ . k|tlnk clwsf/h6o l; hgf}sf]lj Zj Jofkl ; A|f0f lbg]c|t/f|6 dxf; l6w (Berne Convention for the Protection of Literary

- /fd k| fb e\$ /f0\$

& Artistic Works 1816) n]k|f} u/\$f]; lj wf k|f} u/L lj sl; t b}zx;n]c; b}zf l; hgf k|f} ug]b}zx;af6 nfe lng ; s}f xg\

clwsfz l; hgf c;sf k|f} ug]g|kfn h:tf b}zx; hf]gof"l; hgf ug; Defjgf / lfdt b6} /fVb5gVtglx;sf nflu ag{dx; l6wsf k|f}wfgn]kz:t nfe lng ; Sg]c; / b|v65 g). g|kfn] ; l6sf k:ts / sDk06/ ; k}j} / h:tf l; hgf o/r / cdv/sdf k|f} e}x} / To; af6 g|kfn] ; l6fx;n]/fd]nfe k|f} u/\$f]b|f6taf6 g|kfn]f l; hgf z|ntsf] ; Defjgf kz:t}x\$]f]b|v65 eg]:t/lo l; hgf tof/ u/} lj Zj ahf/df k|f} u/fpg ; s}f c|f}lus / c6o ts|glsl lf}df k5fl8 k/\$f]g|kfn]ag{dx; l6wdf k|}zaf6 p|n}ygo nfe lng ; Sb5 . t/ oxf]g/ lj ; g}g} k|f} s/f s]x]eg]x}f] l; hgf c;n]k|f} ubf{nfe k|f}xg]cfzf /fVg]x]eg]c;sf l; hgf xfdln]k|f} ubf{c;nf0{/f|l6l aem]pg}k5{ . ag{dx; l6wsf k|f}wfgx; kf/:kl/tf (Reciprocity) sf cfwf/df k|f} xg]xbf Ps klfn]dfq nfe lng]eG]xb} . xfdln]c; b}z; u h:tf]Jojxf/ u5f}c; b}zn]klg xfdlnf0{To:t}Jojxf/ ub}g\ .

ag{dx; l6wdf /x\$}f k|f} tl g lj Zj}tfx; ; j tM ; A|f0f, G6}td ; A|f0f / /f|6o Jojxf/ g}l; hgf]sf]k|f} j fkt lj Zj Jofkl

nfe lng ; lsg] k|f}v cfwf/ xg .

g|kfn]k|tlnk clwsf/ Pj, @)% (n]pkoOm tl g j6)lj Zj}tfnf0{sf}gl k|f}wfgs}kdf ; d|6; s}f]5 . hg lj Zj}tfnf0{5f6s/Ldf o; /l a}g ; ls65 .

!= : j tM ; A|f0fsf]l; 4f6t M ; l6fn]l; hgf ug]xf] p; n]l; hgf ; A|f0f u/fpg c88f cbfnt w|pg}k|n]l6eG}l; hgf tof/ ug}n]l6 k5{/ ; l6fn]l; hgf u/lk5 p; sf]l; hgf]sf] ; A|f0f /f|on] ; j tM ul/lbg}k5(eG]cfzo o; n]/fVb5 . g|kfn]k|tlnk clwsf/ Pj, @)% (sf]bkr} % df /rgf=l; hgf]sf]btf{clg}foc}xg]k|f}wfg o; }k|f}hgsf nflu /f|vPsf] xf] . o; k|f}wfgn]l; hgf z|ntdf k|f} ; fxg xg u0{hg; 5}efudf /xg] ; l6fn]tof/ u/\$f]l; hgf]n] ; A|f0f k|f} ub}g\ .

@ G6}td ; A|f0fsf]l; 4f6t M ; l6faf/f l; lh} l; hgf]sf]G6}tdedf sd c; lw ; A|f0f xg]u/L sf}g agfpg j f To:tf] Joj :yf ug]gk}og]o; dx; l6wsf]k|f}wfg 5 . ; f}l cg}k k|tlnk clwsf/sf] ; A|f0f lj Zj Jofkl u/fpgsf nflu sg] kl g /rgdf /rlotf]h}ljge/ / d|o' ePk15 %) j if{Dd /rgf]sf] ; A|f0f x65 . To; kl5 /rgf ; f}h}lgs a6b5 . g|kfn]k|tlnk clwsf/ Pj}sf]bkr} ! \$ df ePsf]k|f}wfgn]o; s/fnf0{k|li

ub\$. oBlk t:j/L, Wj lgcsg, rnlrq, Jofjxf/s snf, cfs6\$R/n l8hf0g h:tf /rgfdf eg]; Af0f cj lw sdlg} /x\$}kf065 .

#= /fi60 Jojxf/sf]; 4ftt Mbzsf l; hgfdf ; Af0f / pkrf/ ; Da6wl hg Jojxf/ ul/65, c; bzf /rgfdf kl; f;l / ; dfg Jojxf/ ug{kbf . dxf; l6wsf ; b:o /fi60}csf]; b:o /fi60 l; hgfdf ; Af0f / pkrf/df km/s Jojxf/ xg] u/L sfgg agfpg kf0b . gkfnf] kltlnk clwsf/ Pj}sf] bknf !# df pllnlvf kfj wfgn}ag{dx; l6wsf]; b:o /fi60 dfly p7] lj Zj Jofk/ ; w7gsf ; b:o /fi60 sf /rgfdf ; dfg Jojxf/ ug]u/L sfgg klt4tf hgfPsf] 5 . TRIPs Agreement sf ; b:o /fi60 ag{dx; l6wsf ; b:o ag' kg]kfj wfg / TRIPs s}; b:o /fi60 WTO sf ; b:o xg]; 6bedf ; d; kltlnk clwsf/ Pj}sf] bknf !# df pllnlvf Joj: yf ; do ; fk]f e6g g}pkoQm x65 .

pkoQmkj wfg ePsf]gkfnl kltlnk clwsf/ Pj} sfog og ug{gkfn}lgs}sf d;gt ug{k5} To; cltl/Qm gkfnl ; i6fx; n] :t/lo / dflns /rgf tof/ ug{f0lQs}wofg lbg'h?/L x65 .

gSsnl sDk06/ ; k6j 0/ k6f] ug] c; efihsf lj bzl k:tsaf6 ; f/ cfkngf]agfpg] c;sf rnlrqsf]gSsn ug] / ult-; ult rf]l u/L cfkngf]agfpg]k] [Qnf0{eg]o; dxf; l6wn]; fyllg ; Sb .

cfh xfdn]b}sf lj sl; t bz / lrgsf cj: yf PsfPs / /ft/ft lj sl; t ePsf xfdgg\ tl bz; cfnf]cj: ydf cfpgsf nflu Hofb} 7hf]; 3if{ Tofu / tk:of u/ \$f xg\ hfkf, sf] /of h:tf dhs; cfkngf bzf :t/lo l; hgf k6f]df cfp] tl l; hgf]lj bzf ; d; k6f] xg]cj: yfsf] lj sf; , sfgg] sfog lfdtdf a[4, c; bzf l; hgf] klt:kwdf ; jbz l; hgf]t/ /fd]xg]h:tf ; du]lj sf; sf]:t/ sfod ePk5 dfq o; dxf; l6wdf k]z xg'kg] ckl/KSj cj: ydf gk]z ug{k/ \$f] 5 . o; f]xgdf gkfn lj Zj Jofk/ ; w7g (WTO) df k]z ug]l; nl; nfd kltlnk clwsf/sf]; Af0f lfdt lj sf; sf] klf g}gx/L ; g@)%) sf]18; Da/; Dd ag{ dxf; l6wdf k]z ul; Sglu/L dt/fi60 :t/df klt4tf hgfPsf] / ; f]cj lwleq k]z gu/ ; j tl dxf; l6wsf kfj wfg aflotsf/L xg]cj: yfn] ckl/KSj cj: ydf g}k]z ug{k/ \$f]xf] . o; n]lj Zj lj Bfnof kf7ak:ts, sDk06/ ; k6j 0/, rnlrq h:tf c6o bzf /rgfsf] Jofks k6f] ug]gkfn]7hf]dlb rsfpg'kg]

rgf]l xfd] cuf18 5 . To; }u/L @@@ ; fnb]v z? ePkg cBlk ; /sf/L kf]ldstfd gk/\$f] kltlnk clwsf/sf]; Af0f]ljfon]; f; ; fwg / blf hgZlQnsf]; d:ofaf6 dQm xg yk}rgf]l kf/ ug{k}x65 .

k]o\$; d:of jf rgf]ln]; sf/fds gtlhftk(3r3Rofpg]xbf af]4s ; DklQsf]dVo kf6f] kltlnk clwsf/ ; Af0f]klt ; i6f klf, sfgg sfog og klf tyf pkrf/ lbg]; a}klfn] uDel/ e0{cf-cfkngf lhd]f]f/L k7f ug] kb6 . gkfnf0{lj Zj df kl/ro u/fpg] ; s[tnf0{; Af0f tyf ; Da4g ug]qmdf nf\$; s]lt, nf\$snf, nf\$ k/Dk/f nufotsf klfnf0{kltlnk clwsf/leq ; d6l o; sf] lj Zj Jofkl k6f] u/fpg ; Sg'kb6 / o; } gkfnf0{; d4 agfpg ; Sg]kz: t ; Defj g; 5g\

cfh xfd c; bzf l; hgf ; Af0f ug{ ; lfd gx}ag{dx; l6wdf k]z ug{k/klg xfd]lfdt lj sf; ub}o; l6gsf ; d:of Pj + rgf]x; nf0{cj; /sf]z kdf kl/Of u/L gkfnf0{c; n /fi60 agfpg ; a}klf Odfl/tfsf ; fy nflu kg{cfnf]cj}zostf xf].

-*n]s- ; s[ts ko6g tyf gful/s p88og d6qmodf sfo{t x65_

k7g pQ/ : tDe

!= kltlnk clwsf/h6o ; fdfulsf]gofof]rt k6f] (Fair Use) e6gn]s]alen65 <

kltlnk clwsf/h6o ; fdfulsf]gofof]rt k6f] e6gn]kltlnk clwsf/sf]pIn3g ePsf] e6g cf/fknf0{v08g ug]To:tf] cj: yfnf0{hgfp5, hg kltlnk clwsf/wg]sf] k} {cgdlit j} / kl; To:tf ; fdfulsf]k6f] ug{ ; l65 . vf; u/L sg} /rgdflysf] cfnf]rg, lj Zn]of, ; dfrf/ ; Dk]of h:tf k6f]ngsf]nflu kltlnk clwsf/oQm; fdfulsf] k6f] ubf{kltlnk clwsf/ wgl]sf]cgdlit lng' kb .

@= kltlnk clwsf/oQm; fdfulsf]gofof]rt k6f]sf]dfkg ug]dhet t]j x; s]s] xg ; S5g\

To:tf ; fdfulsf]k6f] g6ofof]rt k6f]xf] jf x0g egl dfkg ug]s]l t]j x; o; ksf/ 5g\

-s_ k6f]sf]cj: yf / p2]oM To:tf] ; fdfulsf]k6f]sf]cj: yf Joj ; flos k\$[tsf] 5 of gkfn /lxt z]lfs k6f]ngsf nflu ul/Psf] 5 .

-v_ kltlnk clwsf/h6o ; fdfulsf] k\$[t .

-u_ kltlnk clwsf/h6o ; du]; fdfulsf] k6f] ul/Psf]kl/df0f / To; sf] ; f/et cz .

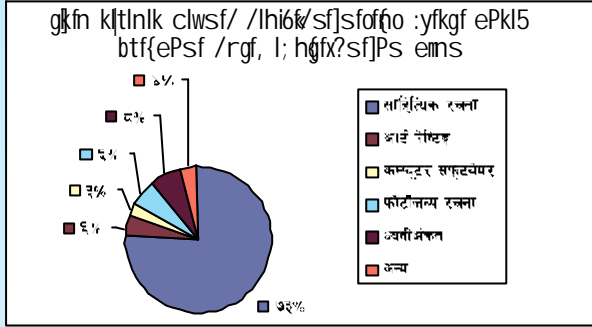
-3_ To:tf]k6f]af6 ahf/df kg]k6f] Pj kltlnk clwsf/h6o ; fdfulsf] dxTj .

#= gkfnf]kltlnk clwsf/ sfgg cg' f/ cgdlit lj gf kltlnk clwsf/ klt ; fdfulsf]k6f] ug{kf0g]cj: yfx; s] s]5g\

j tdfg kltlnk clwsf/ Pjdf kltlnk clwsf/h6o ; fdfulsf]cgdlit lj gf k6f]

ug{kf0g]: ki6 / blaif]cfwf/x; to ePsf] b]v . tyflk Pj}sf]bknf -!^@# ; Ddsf sfgg]l kfj wfg; x6f]b}fosf cj: yfnf0{ pln}y ug{ ; l65M-

- JoIQmt k6f]ngsf]nflu kg?kfbg ug{kf0g]
- p4/Of ug{kf0g]
- k7gk7gsf]nflu kg?kfbg ug{kf0g]
- k'tsfno tyf clen}fnon]kg?kfbg ug{kfp]
- ; j {fwf/Ofnf0{hfgsf/L u/fpg]p2]on] kg?kfbg, k} f/Of / c6o lsl; dsf] ; ~rf/ ug{kf0g]
- JoIQmt k6f]ngsf]nflu k7f/L ug{kf0g]
- ; fj h]gs k6z6 ug{kf0g].



जन्मजय रेग्मी
राजबंशी

; Dkfslo

l; hgfn ; i6fxzsf] nflu af]4s ; DkIQ
; Da6wL sfgh cto6t ; jhgzln dflg65 .
; i6fxz l; hgfn ub5gV pglxzsf l; hgfn
; dfhnf0{gof"af6f]b]f]p5, dgf]-hg lb65,
cg'; Gwfg / cflj isf/sf]dfWodaf6 ; dfhn]
k}7 nfe ln65 t/ l; hgfsf/xzsf] pQm
l; hgfsf] ; Af0f gxx]xf]eg]pglxzdf g'fZotf h6d5 . gof"
l; hgfsf]af6f]cj?4 x65 . ctm ; dfhsf] ljsf; s} ult
/f]s65 .

cglwst ; kdf kltlnk u/l lj qml u/xf]
cf/fkdf ykf sf/fuf/ rnfq
cglwst ; kdf kltlnk pkbq u/l kqsf lj qm lj t/Of u/xf]
cleofudf kmfp k/xf lh1f; 'adfi; s afnkqsfsf k6w lgbz5
7hZj / ykfn0{sf/fuf/ rnfq ul/Psf]5 . lhlf cbint, df]asf
dV0 GofowLz gj /fh pkbWofosf]Psn Ohnf; n]pgnf0{Ps nfv
zkb" w/f6l lTg{cfbz lbPsf]df pgn] ; f]w/f6l lTg{g; s]k5
sf/fuf/ rnfq ul/Psf]k/Ln]hgPsf]5 .
; f] u/vfq b]gs, ldt e)^\$ kif e! .

æ; hgfsf]kfej sf/l ; Af0fsf nflu
l; hgfsf]btfe{u/fc}Æ
s]tkf0{cf'gf l; hgfn btfe{u/fpg]lj ifodf ; f]b}
xbx65 < olb tkf0{cf'gf /rgfx? btfe{u/f0{o; sf]
kfej sf/l ; Af0fdf ; lgZrttf rfxgx65 eg]s]kof
tnsf a5fx?df Ps]5g Wofg lbgxf] \ t 0
» sg]klg ksf/sf] ; hgfsf]btfe{u/f]nflu lglb6 km/fd e/l
? %- sf]6s6 6f u/l o; sf]ofodf lgj dg lbg'kg5 .
» lgj dg km/fd o; sf]ofoa6 lglzls klt ug{; lS65 .
; fy]sf]ofosf]j ; f06 www.nepalcopyright.gov.np
af6 l; w}download ug{klg ; lS65 .
» lgj dg ; fy lgj b]ssf]gful/stfsf]kltlnk !, kf; k66
; f0hsf]klt @ / /rgf klt @ ; mlg xg'kg5 .
» /rgf tof/ ubf{c6o JolQm jf ; yfx?sf]klg ; mlg tf
ePsf]dl JolQm jf ; yfx? ; ePsf lnvt ; Den]sf
kltlnkx? ; mlg xg'kg5 .
» /rgf btfe{akt klt /rgf ? !).- btfe{zls nllg5 .
/rgf btfe{ePkI5 o; sf]ofoa6 : Dal6w/rgf wglsf]
gfddf k6fokq k6f ul/g5 .
olb tkf0{lgj dg km/fd eg]sg] ; d:of 5 jf o; lj ifodf
yk hgfsf/l rfxgx65 eg]dg 7]rgdf ; Dks{ug]xf]f . tkf0{
; xof]sf]nflu xfd ; w}k}llf/t 5f} . xfd] 7]rgf xf]M

o; jk7elDnf0{dWogh/ u/l ljZj sf lj sl; t bzx;n]ahdf xf]
k6fPsf]b]v65 . kV/z dxf; l6w, ag{dxf; l6w, /f6 dxf; l6w,
TRIPs ; Den]f cfb c6t/f66 ; l6w, dxf; l6wx; oxl lj ifoj; tsf
pkh dflg65 . km t k]o5 bzn]cfkdf sfghzdf tl ; Dd]hgsf
dhet klj wfgx;nf0{; d6] sfgh lgdf0f u/xf]k65 . af]4s
; DkIQsf]rf]l cto6t sd ug] afgl pglxzdf al; ; s]sf]
b]v65 . xfd]gkfn]k7elDdf xdf{kltlnk clwsf/ ; Da6wL
sfgh e}%(n]p]n]vt dxf; l6wsf s]x dhet ddhf0{; d6]g]
sf]z ul//xsf]5 t elgPsf]5 t/ w}]/s/fxz ug{afsl g]
b]vPsf] 5 . lj le6g c6t/lqmf tyf 5nkm xbf o; ksf/sf
wf/Offxz cf0/xsf] 5g\ . af]4s ; DkIQnf0{rf]l g]g7f6g]xfdf]
gkfnl ; dfhsf]k7elD klg o; sf nflu lhDd]f/ b]v65 . gSsn
ug] rf]l ug]cglwst k6f] ug] k] [Q gkfnl ; dfhd xfnsf
lbgxzdf df]hpb]uPsf]dxz' ; x65 . o:tf ; d:ofxz dfqf]ds
lx; fj n]km's eP tfklg ; a}ljw / f6l/ w}yf] 5g\ .

gkfn kltlnk clwsf/ /lhi6k/sf]sfofho e}^! ; fndf : yflkt
5f6f]P]txf] ; s k[6elD ePsf] ; yf xf] . of]sfofho !! hgfsf]
; fg]hgZlQmInP/ o; f6df lqmfzln 5 . kltlnk clwsf/sf]
; Af0f Psn k6f; n]dfq ; Dej xg]lj ifo xfd]g . o; f6df
lqmfzln ; i6f ; h6 nufot ; Dk0f{lghl f6sf ; /sf]j/nfxz
/ ; /sf/l lgsfosf] ; xsfo6 dfq o; f6df s]x sfd ug{; lS65
e6]o; k6msf/sf]7Dof0{5 .

gkfn kltlnk clwsf/ /lhi6k/sf]sfofho]cfkdf] ; ldt ; f]
/ ; fwgsf]afj hb kl; i6f / ; h6xznf0{; hu / ; r] u/fpg
cfkdf]k6f]g] a9fb]nu]sf]5 . lbg kltlbg af]4s ; DkIQsf]
cltqmdf ePsf] ; i6fsf]cgdlt gn0{; hgfsf]k6f] e}xsf]
ph7l lgj dgx; klt e}xsf]5g\ o:tf ph7Lxzsf] ; Gbef0{xdf]
sltko s/fxz ; j o+ ; i6fxznf0{g}hgfsf/l gePsf]klt x65 .
sfgh af]df yfx]gePsf] / c1fgtfa6 kl; kltlnk clwsf/
p]n3g ePsf s/fxz cf0/xsf]k65 . ctM ; r]gfsf]dfq
a9fb]nfg' cfhsf] k6v cfjZostf dxz' ; ePsf] 5 .

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