

Digital Millennium Copyright Act (DMCA)

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In news- Union Minister for Electronics and Information Technology and for Law and Justice was recently locked out of his Twitter account for violation of the Digital Millennium Copyright Act (DMCA).

About the Act-

- DMCA is a **1998 law passed in the US** and is among the world's first laws recognising intellectual property on the internet.
- It was **signed into law by the then US President Bill Clinton**.
- The law oversees the implementation of the two treaties signed and agreed upon by member nations of the **World Intellectual Property Organisation (WIPO)** in 1996.
- They are the **WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty**.
- Both require member nations and signatories to provide in their respective jurisdictions, protection to intellectual property that may have been created by citizens of different nations who are also co-signatories to the treaty.
- The said protection, accorded by each member state, must not be any less in any way than the one being given to a domestic copyright holder.
- It also obligates that signatories to the treaty ensure ways to prevent circumvention of the technical measures used to protect copyrighted work.
- It also provides the necessary international legal protection to digital content.
- Any content creator of any form, who believes that their original content has been copied by a user or a website

without authorisation can file an application citing their intellectual property has been stolen or violated.

- Since the companies operate in nations which are signatories to the WIPO treaty, they are obligated to remove the said content if they receive a valid and legal DMCA takedown notice.

About WIPO-

- It is one of the 15 specialized agencies of the United Nations (UN).
- It was **created in 1967** to promote and protect intellectual property (IP) across the world by cooperating with countries as well as international organizations.
- It began operations on 26 April **1970 when the convention entered into force.**
- The **current Director General is Singaporean Daren Tang.**
- It **administers 26 international treaties** that concern a wide variety of IP issues, ranging from the protection of broadcasts to establishing international patent classification.
- It is headquartered in **Geneva, Switzerland.**
- It does not rely heavily on assessed or voluntary contributions from member states as **95 percent of its budget comes from fees related to its global services.**
- It currently has **193 member states**, including 190 UN member states and the **Cook Islands, Holy See and Niue, Palestine** have permanent observer status.

The only **non-members are the Federated States of Micronesia, Palau and South Sudan.**