

# 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.**