



The following words and phrases, whenever mentioned in the articles of these Regulations, shall have the meanings stated next to them:

Aggregate material and immaterial interests vested in the person to his work.

Every person who innovates by his own effort, any of the literary, artistic or scientific works such as the man of letters, the poet, the painter or the musici

Actors, players of musical instruments, singers, dancers, reciters and others who perform an artistic activity of other literary or artistic works in one way or another.

Transmittance or communication of the work directly or indirectly to the public or making copies or photo copies of it or of any part of it which may be read, viewed, listened to or performed.

A natural or corporate person who undertakes to transform the artistic, audio or audio-visual work into a material means for the purpose of displaying it to the public under its financial responsibility.

Copyright Law.

The implementing regulations of the Copyright Law.

The competent department in the Ministry which exercises the powers granted to the Ministry by the provisions of the Law and these Regulations, including the technical and administrative tasks necessary for implementing their provisions.

Ministry of Culture and Information.

Minister of Culture and Information.

The Following shall be among the original protected works:

- (1) Dramatic works or musicals.
- (2) Choreographic and mime works.
- (3) Musical compositions with or without words.
- (4) Cinematographic works or works expressed by a process analogous to cinematography.
- (5) Sculpture, engraving and lithography.
- (6) Photographic works or works expressed by a process analogous to photography.



their works. This shall not apply to works of architecture nor to works of applied art.

First: Performers and Producers of Sound Recordings

Performers and producers of sound recordings shall enjoy the exclusive right to authorize the following:

- (1) Public performance of their works, including public recitation by all means or methods.
- (2) Transmission and performance of their works to the public by all means.
- (3) Fixation of their performance in material form.
- (4) Permission to transmit all or part of their works through the Internet.
- (5) Permission of audio fixation of their musical work and circulation thereof in specific countries. All copies imported from countries with an exclusive license, or manufactured without permission from the author, shall be deemed in violation of copyrights and shall be subject to confiscation.
- (6) Permission to distribute and rent their original works.
- (7) Producers of sound recordings shall have the right to authorize or prohibit direct or indirect reproduction of their sound recordings.

Second: Cinematographic and Related Rights



Copyright owners may rent them in the Kingdom in coordination with the Ministry, upon obtaining its prior approval and its taking the necessary precautions, such as:

- (1) Ensuring that there is nothing to prevent renting them.
- (2) Submitting a list of works to be rented, including an indication of types of rentals for approval.
- (3) Determining the probable problems and infringements which

author from exercising his rights shall be deemed to have infringed the Copyright.

Second: Firms shall be deemed liable for any violations committed by an employee against any intellectual work if their knowledge or negligence is established, such as keeping forged or copied computer programs, audio or visual tapes, or conducting maintenance on an electronic equipment loaded with forged programs, decoded or similar works.

Third: Anyone who reproduces, sells, imports, exports, transports, publishes or rents protected works with knowledge of the violation shall be deemed to be committing an infringement of copyright and in violation of the provisions of the Law and these Regulations.

First: It shall be deemed within the scope of personal use any use of intellectual works for personal use only, such as reproducing the work for the purpose of preserving the original copy, for writing on the reproduced copy, for translating some paragraphs or writing comments expressing personal opinion. Any use beyond these purposes shall not be deemed personal use.

Second: Any use beyond the scope of personal use shall be deemed an infringement, such as the following:

- (1) Using and reproducing the work or exploiting it to perform job duties.
- (2) Using the work for commercial or profit making purposes.
- (3) Using the work in ways not authorized by the author.
- (4) Renting, reproducing or authorizing others to reproduce or adapt the work under the pretext of owning an original copy.
- (5) Any act that hinders the author from exercising his moral or financial right.

Third: Reproducing the work to make copies available for commercial exploitation or for selling them to students, to educational institutions or to others is deemed an infringement of copyright.

Fourth: An employer's ownership of the original copy of the work does not grant him the right to reproduce and distribute it among his employees, under the pretext of personal use.

Any use beyond that specified by the owner of audio, visual and broadcasting works shall be deemed an infringement of copyright, such as the following:

- (1) Communicating the work to the public without obtaining a prior license from the owners of the copyright, such as use of radio, music, video or satellite transmission in shops, restaurants, hotels, clubs, hospitals and other similar places where there are frequent visitors or gatherings.
- (2) Breaking of protective barriers for the purpose of presenting broadcasting materials through illegal means.
- (3) Reproduction of broadcast materials for the purpose of presentation, rental or sale.
- (4) Addition or removal of electronic chips of display equipment for the purpose of making it exceed its manufactured limits in order to infringe the rights of others.

- (1) It shall be an infringement of performance rights if the work is





permitted to submit his defenses in writing or record them, and enclose the same along with the documents submitted with the detection record, after recording the violator's name, nationality, capacity and identification number as well as other evidentiary information.

- (4) Notifying the accused of the violation of his obligation to appear before the competent authority within a period not exceeding three days, along with documents relevant to the matter detected.
- (5) In case the person accused of the violation or his representative does not appear within three working days from the date of the violation detection, he shall be summoned again to appear before the competent investigating officer within a period not exceeding five days. In case he fails to appear, the matter shall be reported to the police to summon him in order to complete the procedures of investigation, or the store shall be closed until he responds.

First: The officials of the General Department of Copyright in Riyadh and its branches in the Kingdom's provinces or the departments and offices of printed materials in provinces where there are no branches for the Department shall be responsible for the task of detecting violations and securing the evidence proving the existence of an infringement of copyright, such as equipment, works or commodities.

Second: A record for detecting the violation shall be drafted and signed by the drafter, and it shall contain the following information:

- (1) Name, address of the store and identification of its owner.
- (2) Place where the violation was detected and time by hour, day and month.
- (3) Names of workers in the site when the violation was detected.

- (4) Title, nature of the work subject of the violation, number and specification of copies detected.
- (5) Type, facts, reasons and circumstances of the violation.

The General Department of Copyright or the competent branch shall, immediately upon receiving the evidence, take the following procedures:

- (1) Conducting an external examination and inspection of equipment or works detected with regard to their external condition and number.
- (2) Inspecting and analyzing the content of evidence detected in order to ensure whether or not they contain evidence of copyright infringement and preparing a written inspection report indicating the condition of the materials detected.
- (3) The complainant (plaintiff) may be permitted to conduct a brief inspection of the equipment with the participation of the analyst in the Department in order to prove the complaint, if the analysis proves the absence of infringement.
- (4) The analyst shall submit his recommendation and report on the complaint to the Department, showing the extent to which the complaint is proved or not.

The competent department which detected the works whose copyright is proved to be infringed shall prepare a report containing the following detailed information:

- (1) Detailed description of the work.
- (2) Number of copies of the works detected and their sale price for the public at the time of detection.
- (3) Violations and infringements in the work.

- (4) Method and form of infringement and whether committed inside or outside the Kingdom.
- (5) Method of detecting the violation, whether pursuant to a complaint, a tip or a field visit.
- (6) Method and form of displaying the violating works to the public.
- (7) Any information or other technical facts about the work and the method of infringement, in order to confront the violator therewith.

In case of violations in the works or detected equipment, the competent investigating officer shall initiate a record to enter the statements of the person or persons accused of the violation or whoever acts on their behalf and their defenses, in relation to the information recorded in the .ef()-159amd01.81 3(T3G)3(0-29)-3(he)-t(.ef()5)-428(o)-3

The violator shall be questioned about the time period in which he infringed on the work and the financial returns he has realized.

The investigator may, if necessary, summon anyone whose testimony he deems indispensable regarding the violation, and enter the same in the record.

The General Department of Copyright may seek the assistance of experts to reveal violations in accordance with the administrative procedures governing this.

The persons testifying shall sign at the end of every answer they give, and each page of the record shall be signed by the investigator and those who have been interrogated, in addition to the witnesses. The pages shall be drafted in a consecutive serial order without cancellation or amendment.

The investigator shall conclude the investigation record with the results he has reached, attaching therewith the documents, evidences and proofs submitted, along with the time of its completion.

Departments and branches of the General Department of Copyright and printed material offices in the provinces where there are no branches for the General Department of Copyright shall refer the record of investigation along with all documents relevant to the infringement to the General Director of the Department.

The General Department shall review all procedures and investigations, determine the violations committed, the articles governing these violations in the Law and these Regulations, and the views of the Department.

The information related to the case shall be entered in a special register in order to make entries thereof.







- (d) If a judgment is rendered by the Board of Grievances to cancel the license, the Ministry shall notify the government body that issued the license to cancel it, and follow up the execution of the judgment.
- (e) The fine shall be paid to the treasury of the Ministry against an official receipt to be delivered to the Department in charge of execution of the punishment or by a certified check payable to the Saudi Arabian Monetary Agency and delivered to the Department concerned.
- (f) The Department concerned shall refer the check to the competent authority at the Ministry to collect the fine, and a copy of which shall be kept in the file of the firm.
- (g) If the violator fails to pay the fine within fifteen (15) days from the date of the execution of the punishment, the police shall be addressed to compel him to pay, and the Ministry may close his store until he pays the amount.
- (h) The Ministry shall prepare a summary of the content of the judgment rendered against the violator if the decision provides for the punishment of publicizing the conviction in accordance with Article (22), Paragraph (5) of the Law, and shall be published at the expense of the violator in a distinct place in one or two daily newspapers of wide circulation, one of which is published in the area where the head office of the violator is located, according to the gravity of the violation.

- (1) The committee has the authority to take immediate provisional measures in order to prevent infringement of any copyright, and to prevent imported works that contain infringement of copyright from reaching commercial outlets.
- (2) The committee has the authority to take provisional measures without the knowledge of the other party, if it is likely that a delay would result in harming him or it is likely to damage the evidence.
- (3)

(5) The committee may cancel the measures taken in accordance with Paragraphs (1) and (2) of this Article pursuant to a request by the defendant, or suspend said measures if the plaintiff does not submit documents required from him within a time period determined by the committee, and not exceeding thirty one (31) days.

(6) Upon cancellation of provisional measures or expiry of their effectiveness period as a result of the plaintiff's negligence, or upon becoming evident later that there was no infringement upon the works or commodities, the committee may, upon request of the defendant, order the plaintiff to pay appropriate compensations for any damage incurred by the defendant as a result of such measures.

(1) A copyright owner, who has legitimate reasons to suspect that works infringing his rights are intended for importation or exportation, may submit a written request to the committee in order to stop and seize works imported or intended for importation or exportation, upon reaching the borders.

(2) The committee may request the plaintiff to submit a financial guarantee sufficient to protect the defendant and prevent abuse of rights.

(3)

(4)

- (1) The Ministry shall ensure that copies of the works in printed form or reproduced in any similar form are not displayed for sale in the Kingdom by the copyright owner or whoever acts on his behalf, or pursuant to permission from him, in response to the purposes referred to in Article (16) of the Law, unless such copies are displayed for sale within a continuous period of not less than six months.
- (2) The applicant shall submit proof that he has requested a license from the copyright owner but failed to obtain it, or that he was unable to find him after exerting necessary efforts.
- (3) He shall submit proof that he has made such a request to the publisher whose name appears on the work but has not received a response from him.
- (4) No license shall be granted unless it is proved that the author is unknown or impossible to contact, and the license applicant submits the data proving such and submits the necessary guarantees to fulfill the rights of the copyright owner once he applies to claim his right, and the Ministry accepts these guarantees.
- (5) The license shall not be granted before the expiration of a period not less than six months from the applicant's attempts [to obtain a license] from the author or the publisher.
- (6) No license shall be granted if the author or the publisher reprints his work during the six-month period.
- (7) No permission shall be granted if the author has withdrawn from circulation all copies of the edition subject of the application.
- (8) The permission shall not be granted if it is for pure commercial purposes.

All unprotected works by Saudi authors or whose period of protection has expired in accordance with the provisions of the Law and these

protection period, in case of damage to his honor and reputation or distortion and alteration of the work.

These Regulations shall be published in the Official Gazette and shall be effective after two months from the date of publication.