



## WORLD ART DAY

### *COPYRIGHT AND RELATED RIGHTS*

**W**orld Art Day is celebrated each year on April 15th all around the world

The date was chosen because it coincides with the birth of Leonardo da Vinci, considered one of the most important artists in history, as he was a painter, sculptor, biologist, designer, poet, and architect. The aim is to promote the importance of the different artistic disciplines, the seven arts that surround us and that this day celebrates: Architecture, Sculpture, Painting, Literature, Music, Dance, and Cinema. It is a celebration that seeks to promote the development, dissemination, and promotion of art in general.

#### **LEGAL FRAMEWORK**

From a legal point of view, these areas find protection in the Copyright and Neighboring Rights Code, which determines as works *"the intellectual creations in the literary, scientific, and artistic domain, by any means exteriorized."*

**Copyright** serves to protect authors (writers, artists, producers, music composers, etc.) with respect to the works they create. Thus, copyright belongs to the intellectual creator of the work, unless expressly provided otherwise.

The existence of copyright is recognized regardless of registration, deposit or any other formality, which gives its holders the exclusive right to dispose of their work and use it, or authorize its use by third parties, in whole or in part. Nevertheless, there is the possibility of registering works before the IGAC, making it simpler to prove ownership to third parties.

Copyright comprises two aspects:

a) **Moral rights**, which evidence the bond of the author with his work; thus, the creator of the work can never be separated from what he creates. They are personal, inalienable rights, that is, even if he has ceded the rights over his work, the author has the moral right to see his name recognized and quoted, imprescriptible and unrenounceable;

b) **Patrimonial rights**, which allow the author the possibility of assigning or licensing the work, definitively or temporarily, and exploiting it economically as he wishes.

Works may only be used after prior authorization by their author or his

representative, except in the case of works that have already fallen into the public domain (i.e. 70 years after the author's death) or situations of free use, as provided by law, which include, namely, educational use (including copies for classroom use), for criticism, commentary, news reporting, research and preservation (including in schools and libraries). Private copying is also permitted as long as it is for private use only and is made from the original purchased by you.

On the other hand, and also associated with the arts, we have the **Related Rights**, which are the rights that the law grants to artists (performers), producers (of a film or a song), and broadcasting organizations.

Artistic activities promote increased ability to concentrate, the development of a more complex thought structure, and the evolution of creativity, and should therefore be valued, encouraged, and protected.

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