[LV] Copyright in Latvia

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The protection of copyright is fundamentally guaranteed by the Constitution of the Republic of Latvia (Satversme), Art. 113: The state recognises the freedom of scientific, artistic and other creation, as well as protects the copyright and patent rights.

The current framework of copyright protection in Latvia is governed by the 2000 Copyright Law (Autortiesību likums). This law replaced the previous 1993 Law on Copyright and Neighbouring Rights. The 2000 Copyright Law governs all the main issues of the protection of copyright, neighbouring rights, as well as the sui generis right of database protection. Since its adoption, the law has been amended four times, mainly to clarify some of the covered issues, as well as to implement the newest regulatory enactment of the European Union (see IRIS 2004-5/307). As Latvia is a member of the Berne Convention for the Protection of Literary and Artistic Works since 1995, the Copyright Law follows the main principles of the copyright protection stemming from this convention, as well as other related international agreements, including the Agreement on Trade-Related Aspects of Intellectual Property Rights (binding to Latvia as of 1999).

The copyright protection as provided by the Copyright Law warrants authors rights to their works without a need of any special registration or assertion. The Copyright Law distinguishes between economic and moral rights of the author, and the moral rights may not be alienated. The Copyright Law implements the copyright directives of the European Union.

On the basis of the Copyright Law three secondary legislative acts have been issued, inter alia:

- Regulations of the Cabinet of Ministers No. 565 "The order how the compensation for public lending shall be calculated, paid and distributed" of 21 August 2007;

- Regulations of the Cabinet of Ministers No. 321 "Regulations on the amount of levies for blank material carriers and equipment fit for reproduction, and on the order of its collecting, paying, distribution and disbursement" of 10 May 2005.

It may be expected that in near future new amendments to the Copyright Law may be adopted. On 12 May 2010 the Cabinet of Ministers approved draft amendments to the Copyright Law and on 27 May 2010 the draft was transferred

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for review to one of the commissions at the Saeima (Parliament). The draft amendments propose to improve the regulation of the collective rights management societies, especially, to provide a fairer regime for the collection of copyright levies for collectively managed rights. As of now, the draft has not been reviewed by the Saeima yet.

Autortiesību likums 06/04/2000, Latvijas Vēstnesis 148/150, 27/04/2000

http://www.likumi.lv/doc.php?id=5138

Copyright Law, adopted on 6 April 2000, Official Journal No. 148/150, on 27 April 2000, in force since 11 May 2000

http://www.ttc.lv/export/sites/default/docs/LRTA/Likumi/Copyright_law.doc

Grozījumi Autortiesību likumā

http://titania.saeima.lv/LIVS/SaeimaLIVS.nsf/0/6C7E4CC7B36F1361C2257723004B7349?OpenDocument#a

Draft amendments to the Copyright Law, submitted to Saeima

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