

How a Certificate of Copyright Registration in Myanmar benefit you?

Copyright registration is not mandatory in Myanmar. The provisions about this non-obligatory registration of copyright can be found in Article 17, 46 and 54 of [Myanmar's Copyright Law](#). In detail, Article 17 which provides the term of copyright states that the protection for [economic rights and moral rights](#) applies to literary or artistic works "*whether or not they are registered*" (*regardless of registration status*) under this Law. This indicates that copyright protection is automatic upon the creation of the work and does not require formal registration to come into effect.

Article 46 to 54 of Myanmar's Copyright Law clarify on the registration process, indicating that registration is indeed an option rather than a mandatory requirement for copyright protection in Myanmar.

Article 46 outlines that any author or copyright owner who wishes to register their work can do so to have "**sufficient evidence**" which implies that registration serves as a means to solidify proof of ownership rather than as a prerequisite for copyright protection itself.

Article 54 reinforces this by stating that "*Copyright or related rights of performers, producers of phonogram and broadcasting organizations shall enjoy the rights in this Law whether they are registered or not under this Law*". This is a direct assertion that the protection afforded by copyright and related rights does not depend on the act of registration, thereby making it a voluntary action for additional legal assurance and record-keeping.

Under Article 46 of Myanmar's Copyright Law, while the phrase "sufficient evidence" is not explicitly defined, it generally refers to the official documentation or proof provided by the government authority (in this case, the Certificate of Copyright Registration) that a copyright exists in the named work and that the person named as the registrant is the copyright owner or holder of copyright-related rights. This Certificate serves as prima facie evidence of copyright ownership and the details of the work as registered. Owning a Copyright Registration Certificate granted under Article 50(c) of Myanmar's Copyright Law 2019 will provide you with the following benefits:

For legal disputes

- **Prima facie evidence:** In legal disputes, the Certificate of Copyright Registration granted by Myanmar IPD serves as prima facie evidence of copyright ownership and the facts stated in the registration. This means in court, the certificate is accepted as evidence of ownership unless proven otherwise, shifting the burden of proof to the party challenging your copyright.
- **Facilitates enforcement:** Having Certificate of Copyright Registration granted by Myanmar IPD can significantly streamline the enforcement of your rights, particularly in Myanmar where copyright protection is strongly linked to registration. It simplifies the process of proving ownership in copyright infringement cases, making it easier to [take legal action against infringers](#).

For asserting rights

- **Deterrence:** The existence of a Certificate of Copyright Registration granted by Myanmar IPD can act as a deterrent to potential infringers in Myanmar. Knowing that a work is officially registered in Myanmar makes it clear that the copyright owner is serious about protecting their rights, potentially discouraging unauthorized use.
- **Licensing and contracts:** When negotiating contracts or licensing agreements, the Certificate of Copyright Registration granted by Myanmar IPD serves as undeniable proof of your rights in the work, facilitating business dealings and the monetization of your intellectual property in Myanmar.
- **Public record:** Registration of a work in Myanmar typically results in the work being listed in a public database, providing a public record of your copyright and the specifics of your work in Myanmar. This visibility can further affirm your rights and serve as a deterrent to infringement.

In summary, while "sufficient evidence" through copyright registration does not guarantee immunity from copyright disputes, it significantly strengthens your position in asserting your rights, both in legal settings and in the broader marketplace. It serves as an important tool in the protection and enforcement of copyright, offering tangible benefits to authors and copyright owners in protecting their intellectual property in Myanmar.

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