

## Registering related rights (performances, phonograms) in Myanmar: What process and benefits?

Per Article 53 of [Myanmar's Copyright Law](#), owners of related rights, including performances, phonograms, and presumably other related subjects like broadcasting rights are entitled to apply for registration of their related rights. The registration of these rights is akin to the registration of literary or artistic works but tailored to recognize the unique nature of these categories. KENFOX provides the below analysis on how the registration process differs and the type of evidence registration provides.

### 1. Registration process for owners of related rights: How different

**[1] Application specific to related rights:** While the fundamental process of applying to the Registrar and paying prescribed fees remains consistent, the application for registration of related rights like performances and phonograms likely requires specific information pertinent to these rights. This includes details of the performance, the performers involved, the date and location of the performance or the creation of the phonogram, and any other information that uniquely identifies the work and establishes your ownership or rights to it.

**[2] Supporting documentation:** The nature of related rights may necessitate additional or different types of supporting documentation compared to literary or artistic works. For example, for phonograms, this could include recordings, production details, and evidence of the originality of the sound recording. For performances, documentation might involve details about the performance, including any contracts or agreements that establish the [rights of performers](#).

**[3] Special considerations:** The registration process for related rights may also consider specific legal provisions applicable to performances, phonograms, and broadcasts, reflecting the differences in how these types of works are created, distributed, and consumed.

### 2. Registration of related rights: What benefits

- **Legal recognition:** Registration provides official recognition and evidence of the existence of your related rights at the time of registration in Myanmar. This can be particularly important for performances and phonograms, where establishing the date of creation and the rights holder's identity is crucial for enforcing rights.
- **Proof of ownership:** The Certificate of Related Right serves as prima facie evidence of ownership or the right to exploit the performance or phonogram in Myanmar. This is vital in disputes, licensing negotiations, and when seeking royalties or other forms of compensation.
- **Deterrence against infringement:** The act of registration and the public record it creates can serve as a deterrent against unauthorized use of your performances or phonograms in Myanmar. It signals to potential infringers that the rights are protected and actively managed.
- **Facilitation of licensing and assignments:** Registration simplifies the process of licensing your rights to others or [assigning your rights](#) in Myanmar, providing a clear, verifiable record of your ownership and the specifics of the protected rights.

### Conclusion

For owners of related rights, the registration process in Myanmar provides a framework to officially recognize and protect these rights, similar in intent to the registration of literary and artistic works but adjusted for the unique aspects of performances, phonograms, and broadcasts. The evidence of registration it provides is a powerful tool in asserting and enforcing these rights in Myanmar.

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