



# IMPLEMENTING REGULATIONS Of Copyright Law

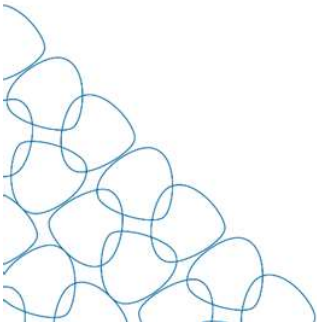
Issued by

The Minister of Culture and Information's decision no. (1688/1) dated 10/04/1425H  
(29 May 2004)

Amended by

His Excellency's decision no. (1640) dated 15/05/1426H  
(22 June 2005)

Amended by the Resolution of the Board of Directors of the Saudi Intellectual Property  
Authority No. (4/8/2019) dated 4/9/1440 AH (9 May 2019)

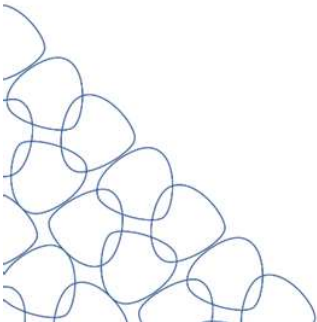




#### **Article 1: Definitions**

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

- (1) **Proprietary right of the author:** Aggregate material and immaterial interests vested in the person to his work.
- (2) **Author:** 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 musician or any other artist, according to the form of expression.
- (3) **Innovation:** The personal style displayed by the author in his work, which makes the work distinctive and novel and presents the work through the elements of the concept displayed or the method employed to present the concept.
- (4) **Infringement of copyright:** Any use of the work unauthorized by the copyright owner and conflicting with the instructions of usage determined by the copyright owner, or committing one or more of the violations provided for in the Law and these Regulations.
- (5) **Work:** It is the literary, scientific or artistic production irrespective of its type, importance, form of expression or purpose.
- (6) **Literary works:** Works which are expressed in words whatever their content may be, whether written or oral.
- (7) **Artistic works:** Works which appeal to the sense of beauty of the public, such as painting, coloring, movement, sound, picture, viewing or music.





**(8) Performers:** 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.

**(9) Publication:** 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.

**(10) Producer:** 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.

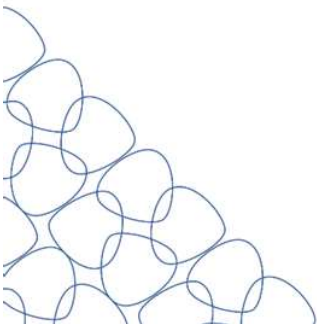
**(11) The Law:** Copyright Law.

**(12) Regulations:** The implementing regulations of the Copyright Law.

**(13) Competent Department:** The competent department in the Saudi Authority for Intellectual Property.

**(14) Authority:** Saudi Authority for Intellectual Property.

**(15) Board of Directors:** The Saudi Authority for Intellectual Property's Board of Directors.





## Chapter One

### Protected Works and the Rights of Public Performance

#### Article 2: Protected Works

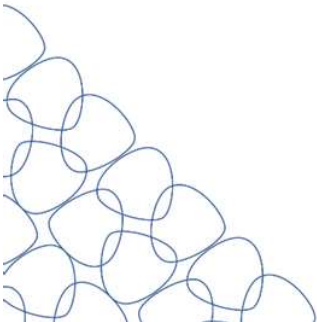
A- The Following shall be among the protected works:

- (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.

**7- News Reports. Daily News Facts are excluded of this protection.**

#### Article 3: Folklore

- (1) The Saudi Folklore shall be a public property of the state and no one may develop or amend it except with the prior approval of the Authority.
- (2) Any expression that reflects the traditional heritage which started or continued in the Kingdom of Saudi Arabia shall be deemed part of Saudi Folklore, specially the following expressions:
  - (a) Folk expressions, such as folk tales, riddles, puzzles, folk poems and other similar traditional expressions.
  - (b) Musical expressions, such as chants, songs, folk songs whether recited or accompanied by music.
  - (c) Expressions by movement, such as folk dances, artistic formations and those performed in festivals.
  - (d) Plastic expressions, such as drawings by lines, colors, engraving and sculpture, pottery, products made from wood and iron and the like, or what is added to them of different





figurations such as inscription and drawing, handcrafted bags, needle works, carpets and clothes and the like.

- (3) Import of copies of Saudi Folklore works, copies of their translations or others, which are produced outside the Kingdom shall be prohibited except with the prior approval of the Authority.

#### **Article 4: Provisions Governing Circulation of Documents**

Authors shall observe the provisions governing circulation of official documents issued in the Kingdom and shall obtain official approvals for their publication or translation, including the provisions of laws, regulations, judicial judgments and decisions of administrative agencies.

#### **Article 5: Rights of Acting and Public Performance**

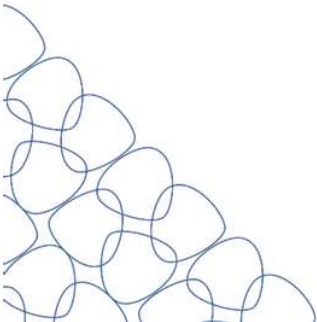
Authors of dramatic works, musicals and musical works or their representatives shall have the right to authorize the following:

- (1) Acting their works or performing them publicly by all methods or means.
- (2) Fixation or transmission of acting and performance of their works to the public by all means.
- (3) Translation of their works.

#### **Article 6: Right of Tracing**

Authors of original plastic art and of original musical manuscripts shall have the right to share by a percentage in the returns of any sale transaction of these works, even if they have assigned the ownership of the original copy of their works.

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





## Article 7: Protection of Performers, Producers of Sound Recordings, and Broadcasting

### Organizations

#### First: Performers and Producers of Sound Recordings

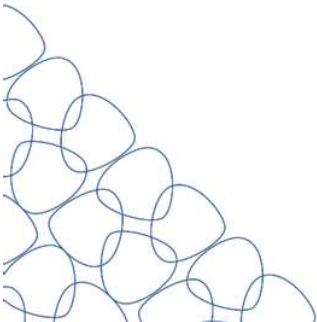
Performers and producers of sound recordings shall enjoy the exclusive right to authorize the following:

- (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.

#### (1) Second: Broadcasting Organizations

Broadcasting organizations shall have the right to prohibit any of the following acts if undertaken without their authorization:

- (1) Fixation and reproduction of broadcasts.
- (2) Retransmission by wireless means and communication of materials to the public.
- (3) Determining the means of direct broadcast and reception or through receivers or by cable.
- (4) Transmission to the public of radio broadcast in public places or through internal wire broadcasts of closed compounds.





#### **Article 8: Claiming Rights**

- (1) A co-author of any work may individually request taking precautionary measures whenever there is an infringement of copyright and may individually claim his share of the compensation for harm incurred by him.
- (2) A co-author may object to any development or modification desired by the majority of partners in the work.

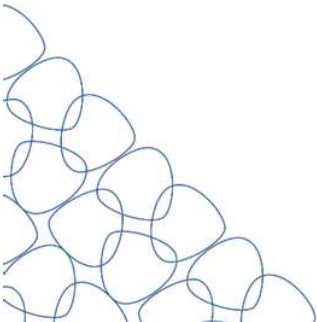
#### **Article 9: Rental Rights**

Copyright owners may rent them in the Kingdom in coordination with the Authority, 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 may result from renting to consider the possibility of avoiding them.
- (4) The beneficiary's explaining to the targeted public the rental mechanism.
- (5) Advertising, at the expense of the copyright owners, the necessary instructions to the targeted public.
- (6) Fixing an effective date for the renting.

#### **Article 10: Protection of Data Bases**

The original data bases shall be protected by reason of the selection and arrangement of their contents as intellectual creations. This protection shall not extend to the data or the materials themselves.





## Chapter Two

### Violations and Procedures of Detection

#### Section One

#### Violations and Liability for Copyright Infringement

##### Article 11: Infringement Liability

First: Any person who obtains an original copy of any intellectual work and exploits it by means of renting, adaptation or permitting others to copy or reproduce it or any other acts which affect or obstruct the author from exercising his rights shall be deemed to have infringed the Copyright.

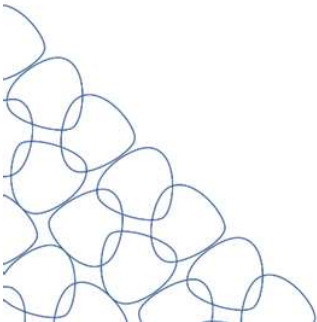
Second: Firms shall be deemed liable for any violations committed by an employee against any intellectual work if their knowledge or negligence is established, such as keeping forged or copied computer programs, audio or visual tapes, or conducting maintenance on an electronic equipment loaded with forged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

##### Article 12: Infringement of Literary Works

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.

1. Third: As understood from Article 9, second, of this Law, include the right of reproduction in any manner or form such as digital reproduction.

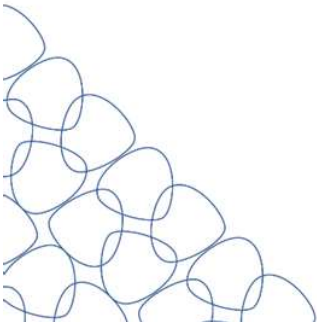
fourth: Reproducing the work to make copies available for commercial exploitation or for selling them to students, to educational institutions or to others is deemed an infringement of copyright.

Fifth: 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.

#### **Article 13: Infringement of Audio, Visual and Broadcasting Works**

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.





#### **Article 14: Infringement of Rights of Performance**

- (1) It shall be an infringement of performance rights if the work is performed in school theaters or the like unless the performer of the work obtains the prior approval of the owners. It shall be deemed lawful use in accordance with Article (15), Paragraph (8) of the Law if the performance of the work is in the classroom for the purpose of education.
- (2) It shall be deemed an infringement of copyright any reproduction of the work during its performance, such as photographing or recording it for the purpose of exploitation or presentation to the public without the approval of the owners of the right.

#### **Article 15: Decoding of Electronic Equipment**

It shall be an infringement of copyright any act resulting in removal of the original precautionary information from the electronic equipment produced by the manufacturer, and any person who facilitates this is deemed to be committing an act of infringement, such as:

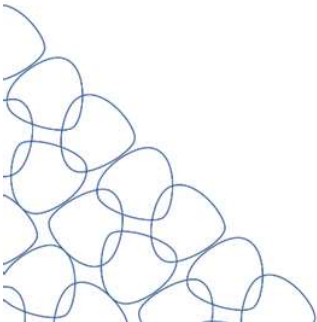
- (1) Removing or adding electronic or non-electronic devices of display and receiving equipment for the purpose of exceeding the limits designed by the manufacturer.
- (2) Canceling the original program that operates the display and receiving equipment and loading them with forged programs for the purpose of exceeding the limits and capabilities for which the equipment is designed.

#### **Article 16: Infringement of Computer Programs**

First: Considered as literary works, computer programs and games shall enjoy protection whether in the source code or in the object code.

Second: It shall be deemed an infringement of copyright any use of the programs different from that specified by the owner of the right, such as:

- (1) Reproduction of software and game programs.





- (2) Renting the software or game programs or licensing their collective use in the absence of documents authorizing the renting person to exercise this right upon obtaining the approval of the Authority.
- (3) Loading the local networks or the equipment with reproduced software.

#### **Article 17: Liability of Maintenance Centers**

Workshops that provide maintenance service for display and receiving electronic equipment are deemed liable for and in infringement of copyright if detected to have in their possession decoded equipment or equipment loaded with forged programs, or to use forged programs in maintenance works.

### **Section Two**

#### **Procedures of Detection and Investigation of Violations**

#### **Article 18: Detection of Violations**

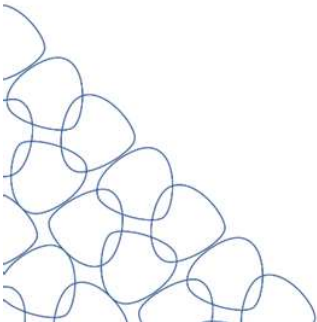
Detection of violations of provisions of the Law and the Regulations shall be carried out in any of the following cases:

- (1) Pursuant to a complaint or written notice filed by owners of the right or their representatives.
- (2) Routine or sudden field visits by the inspectors of the Authority to public firms and shops that use in their activities any of the intellectual works.

#### **Article 19: Procedures of Detection and Inspection**

When performing detection and inspection, detecting officers shall follow these procedures:

- (1) Entering sites of firms which produce, display, distribute, sell, use or provide maintenance services to any of the protected works, including annexes and affiliates of those sites.





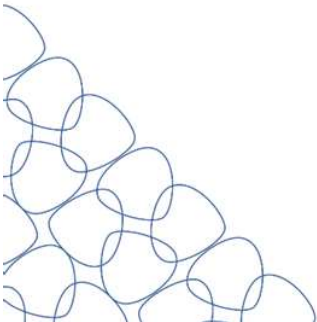
- (2) Seizure of copies of works and equipment strongly believed to be subject of infringement and of the relevant documents, when necessary, and recording such in the detection record.
- (3) Prompt questioning of the violator and those working in the firm, if considered fit, after confronting them with the violation of which they are accused. In all cases, the violator shall be 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 department 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.

#### **Article 20: Detection Tasks**

First: The officials of the Competent 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.

#### **Article 21: Analysis of Evidence**

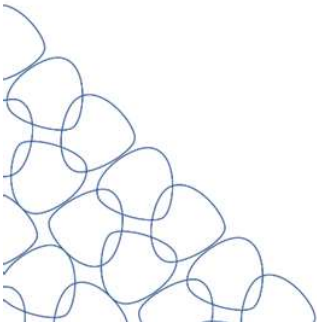
The competent department shall, immediately upon receiving the evidence, take the following procedures:

- (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.

#### **Article 22: Report of Evidence Analysis**

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.

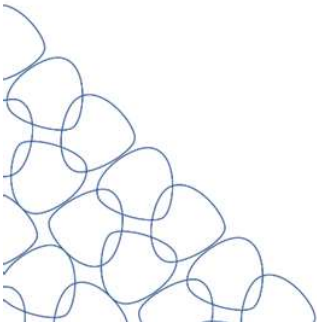




- (6) Method and form of displaying the violating works to the public.
- (7) Any information or other technical facts about the work and the method of infringement, in order to confront the violator therewith.

#### **Article 23: Investigation of Violations**

- (1) 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 report by the analyst, and to the complaint made against them.
- (2) The investigation record shall contain the following data:
  - (a) Hour, day, date and place of the investigation.
  - (b) Name of the investigating officer and his capacity.
  - (c) Name of the person accused of the violation, his identification number and contact addresses.
  - (d) Confronting him with the violations of which he is specifically accused.
  - (e) Complete answers of the person accused of the violation to the questions addressed to him, including his defenses and the statements of witnesses, if any.
- (3) The violator shall be questioned about the time period in which he infringed on the work and the financial returns he has realized.
- (4) The investigator may, if necessary, summon anyone whose testimony he deems indispensable regarding the violation, and enter the same in the record.
- (5) The Competent Department may seek the assistance of experts to reveal violations in accordance with the administrative procedures governing this.
- (6) 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.





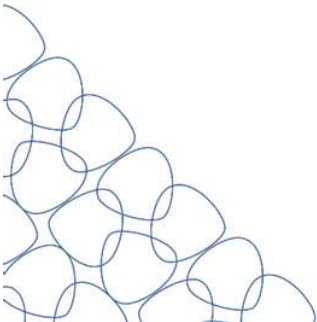
- (7) The investigator shall conclude the investigation record with the results he has reached, attaching therewith the documents, evidences and proofs submitted, along with the time of its completion.
- (8) The competent department shall refer the record of investigation along with all documents relevant to the infringement to the General Director of the Department.
- (9) The competent 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.
- (10) The information related to the case shall be entered in a special register in order to make entries thereof.
- (11) The competent department shall refer the cases and violations along with all relevant documents to the violation review committee for consideration.

#### **Article 24: The Right to Claim Compensation**

The copyright owner or his representative is entitled to claim compensation for damages incurred as the result of the infringement of any of his rights protected by law, and shall submit a written memorandum to the competent department, if he desires, in which he explains in detail the damages incurred as a result of this infringement and how they occurred, as well as the estimated amount of compensation claimed by him and the basis for such estimation. In all cases, he shall present the evidence and documents supporting his statements. The officer investigating the violation shall cross-examine him regarding such evidence and documents and check the gravity of the violation, and inform the defendant of what is brought against him, and grant him the ability to present his views and answers in this respect, and then refer the claim to the violation review committee for decision.

#### **Article 25: Procedures and Rules of the Violation Review Committee**

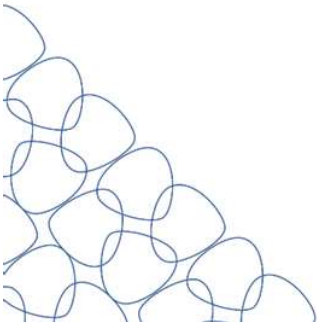
The committee shall exercise its jurisdiction in reviewing all violations of the provisions of the Law and these Regulations and shall determine the punishments according to what is





stipulated in Article (22) of the Law in proportion to the gravity of infringement and the number of violations recorded with the committee against the violating party, and compensate owners of copyrights for the damage incurred by them, subject to the following:

- (1) The chairman of the committee shall supervise its technical and administrative work, and shall determine the dates of sessions to review the cases brought before the committee in coordination with the members.
- (2) The committee may convene its meetings if attended by not less than two thirds of the members, provided that the legal and Shari'ah counselors are present.
- (3) The committee, as necessary, may seek the assistance of experts to obtain their opinions on some of the violations brought before it.
- (4) The committee may summon any party to the violation to hear his statements, the inspector who detected the violation, the information analyst, or the investigator or any other person whose statements the committee deems necessary to hear.
- (5) The Committee may return the violation papers to the investigation authority in order to request additional information, or to complete whatever it deems necessary regarding the investigations.
- (6) Decisions of the committee shall be issued by majority vote and shall be referred by the chairman of the committee to the Board of Directors, and said decisions shall not be effective unless approved by the Board of Directors.
- (7) If the committee finds the violation committed grave and punishable with imprisonment or a fine exceeding one hundred thousand riyals, or closing the store permanently and canceling the license, the matter shall be referred to the Board of Directors for its approval to forward this violation to the Public Prosecution to refer it to the Competent Court for review, and to determine the appropriate punishment against the infringer.
- (8) The committee shall inform The Competent Department of the approved decisions in order to notify the relevant department to carry out the prescribed punishments.

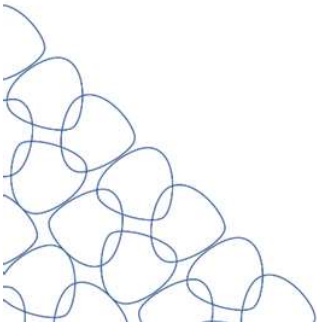






#### Article 26: Restrictions on the Execution of Punishments

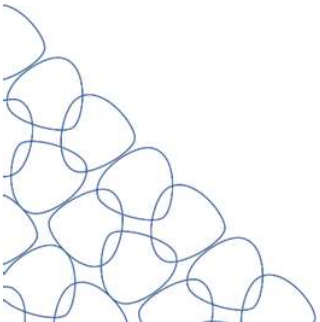
- (1) In case of a grievance regarding the decision issued by the committee before the Board of Grievances, the punishments stated in the decision shall be suspended until a final judgment in relation thereto is rendered by the Board.
- (2) Punishments within the jurisdiction of the competent court shall be carried out after a final judgment in connection therewith is rendered by the court.
- (3) When punishments are carried out, the following shall be taken into consideration:
  - (a) The competent department shall notify the person against whom the punishment is issued or his representative of the decision issued against him by an official letter stating the number of the decision issued, its date and punishments prescribed therein, and it shall be delivered to him or his representative or the person found in the firm after signing a copy of the letter, showing date of notification, name of the person who delivered the notification, his capacity, signature and identification number.
  - (b) In case the violator is notified of the decision by official mail, he shall be considered notified after two weeks from the date of mailing the letter by registered or official mail.
  - (c) Upon payment of the fine prescribed in the decision by the violator, the Department shall complete the execution of the other punishments, such as provisional closure, suspension of participation of the firm in occasions or exhibitions, collection of compensation and the like.
  - (d) If a judgment is rendered by the competent court to cancel the license, the Authority 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 Authority 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 Department at the Authority 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 Authority may close his store until he pays the amount.
- (h) The Authority 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.



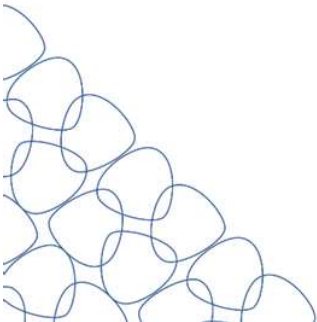


### Section Three

#### Protective Seizure

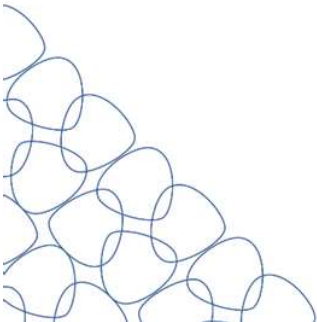
##### Article 27: Provisional Protective Measures

- (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) The committee may request the plaintiff:





- (a) To submit any evidence in his possession affirming that he is the owner of the right.
  - (b) To submit preliminary evidence proving that his right is being infringed or is about to be infringed.
  - (c) To submit a financial guarantee sufficient to protect the defendant and prevent abuse of rights or exercise thereof.
  - (d) The committee may request the plaintiff to submit any evidence necessary in order to determine the extent of the legitimacy of the lawsuit.
- (4) The committee, after taking the protective seizure measures, may notify the affected parties to submit their viewpoint and defenses within a provisional period not exceeding thirty one (31) days from the date of initiating the protective measures in order to consider whether to amend, cancel or confirm such measures.
- (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.



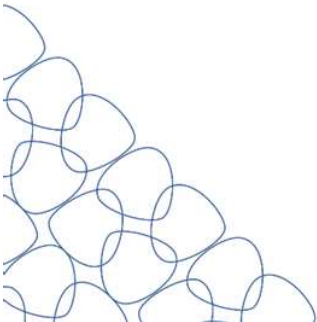


#### **Article 28: Measures at Borders**

- (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) The plaintiff shall submit to the committee, within a period not exceeding ten (10) working days, the complaint and the supporting evidence that determine the infringements he has incurred, provided that the period of seizure does not exceed thirty one (31) days, after which amendment, cancellation or confirmation of such measures shall be considered.
- (4) The committee may decide that the plaintiff pay to the importer or exporter an appropriate compensation for damages incurred by them as a result of wrongful seizure of works.
- (5) The committee may grant the owner of the right (the plaintiff) sufficient opportunity to inspect the works in order to prove his allegations.
- (6) The importer is entitled to an equal opportunity to inspect any of these commodities.
- (7) The committee, in case the infringement is proved, is authorized to notify the owner of the right of the names and addresses of the sender and addressee of the works as well as their quantities.

#### **Article 29: Precautionary Protective Seizure**

The Authority's office at the point of entry at the border may stop the procedure for release of works upon having *prima facie* evidence proving existence of copyright infringement, after coordination with the customs department at the point of entry. The office shall immediately notify The Competent Department to take the necessary measures, in coordination with the committee.





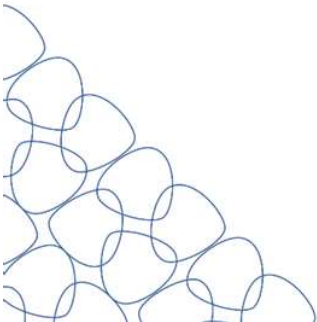
## Chapter Three General

### Provisions

#### Article 30: Mandatory Licenses

The provisions regulating the procedures of issuing mandatory licenses shall apply to works published for the first time in the Kingdom of Saudi Arabia, and licenses shall not be granted before the expiration of three years from the publication date of the edition in question, in accordance with the following procedures:

- (1) The Authority 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 Authority 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.





### **Article 31: Public Property**

First: All unprotected works by Saudi authors or whose period of protection has expired in accordance with the provisions of the Law and these Regulations shall become public property, and the Authority shall act as the copyright owner thereon.

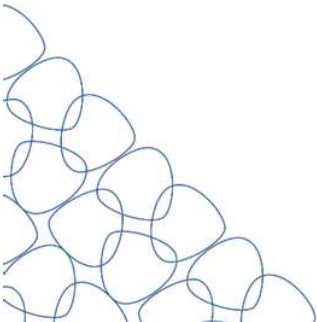
Second: Copyrights in this law applies to all foreign works, which as of the date of entry into force of this law, have not yet fallen into the public domain in the country of origin through the expiry of term of protection.

### **Article 32: Nature of Protection**

- (1) All intellectual works of whatever type whether literary, scientific or artistic shall enjoy protection under the Law and these Regulations if they are permitted for circulation in the Kingdom.
- (2) Foreign intellectual works shall enjoy protection in accordance with the principles of international agreements relating to copyright to which the Kingdom is a party, on the basis of the principle of national treatment.
- (3) The scope of protection as stated in Article 18 of the Law related to international agreements of copyrights is extended to related rights stated in **Article 7** of this Implementing Regulations.

### **Article 33: Calculation of Protection Period**

- (1) Musical and cinematographic works shall enjoy protection for fifty years effective from the first production of the work, and the period shall be calculated from the end of the Gregorian year in which it was produced.
- (2) Computer programs shall enjoy protection as literary works for a period not less than fifty years from the date of first production if the author is a corporate person or is anonymous.





- (3) Protection period of computer programs where the author is a natural person shall be in accordance with the protection specified for other literary works.

**Article 34: Expiration of Protection Period**

The author may object to reproduction or sale of his works or making a work derived from his original work upon expiry of financial rights and protection period, in case of damage to his honor and reputation or distortion and alteration of the work.

**Article 35: Effectiveness of the Regulations**

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

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