



ኣብ ኢትዮጵያ፡ ንፈጠራዊ ሰራሕቲ፡ መሰል ዋናን ተዛመድቲን ዝምልከት ማንዋል

አዲስ አበባ፡ ኢትዮጵያ
ሚያዝያ 16፡ 2016 ዓ.ም

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መጻኑዊ

ሎሚ እንነብር ዘለና ብፍልጠት ኣብዝምራሕ ሕብረተሰብ ውሽጢ እዩ። ኣእምሮኣዊ ንብረት (IP) ኣብዚ ሕብረተሰብ ምህዞ፣ ፈጠራን ቁጠባዊ ዕብየትን ብምምዕባል ወሳኒ ግደ ኣለዎ። ፈጠርቲ፣ መሃዝቲ፣ መምህራንን ተጠቀምቲ ፈጠራዊ ስርሓት ኣብ ምፍራይን ምክፋልን ትሕዝቶ ዝያዳ ኣብ ዝዋፈሩሉ ዘለዉ ናይ ሎሚ እዋን፣ ነዞም መሰላት ዝሕሉ ሕጋዊ ቅርጽታት ምርዳእ ካብ ዝኾነ እዋን ንላዕሊ ኣገዳሲ እዩ።

እዚ ማንዋል ኣብ ሕገ መሰል ዋንነት ኢትዮጵያ ፍሉይ ጠመተ ብምሃብ ዝተዳለወ እዩ። ብዛዕባ ዓውዲ ኣእምሮኣዊ ንብረት ክመሃሩ ንዘደልዩ ውልቀሰባትን ትካላትን ብፍላይ ድማ ብዛዕባ ሕገ መሰል ዋንነት ኢትዮጵያ ዝግደሱ ሰባትን ዓቢ ረብሓ ኣለዎ። ቀንዲ ኣምር ኣእምሮኣዊ ንብረት ንምግላጽ፣ መሰላትን ግዴታታትን ፈጠርቲን ተጠቀምቲን ብነጻር ንምሕባር፣ ኣብ ውሽጢ ሕጋዊ መሰርሕታት ኢትዮጵያ ዝርከቡ ኣገባባትን ሓለዎታትን ብዝርዝር ሓፈሻዊ ፍልጠት ንምሃብ ዝዓለመ እዩ።

እዚ ማንዋል ዝተፈላለዩ ጉዳያት ኣእምሮኣዊ ንብረት ዝምልከት እዩ። ብቐንዲ ግን ኣብ መሰል ዋናን ተዛመድቲ መሰላትን ዘተኮረ እዩ። ንምህዞ፣ ትምህርትን ዲጂታላዊ ሚዲያን ንምትብባዕ ዝተዳለወ እዩ።

ኣብ ዝኾነ ደረጃ ህይወት ወይ ሞያ ተረኽቡ ብዘየገድሱ፣ እዚ መምርሒ እዚ ነዞም ዝሰዕቡ ንክሕግዘኩም ዝተዳለወ እዩ።

- መሰል ዋና እንታይ ከም ዝሕሉን ክሳብ ክንደይ እዋን ከም ዝጸንሕን ይርድኡ
- ከም ሓደ ማሃዳ ወይ ተጠቓሚ ፈጠራዊ ስርሓት መጠን መሰልኩም ክትፈልጡ ይግባእ።
- መሰል ዋና ዘለዎም ስርሕቲ ብሕጋዊ መንገዲ ከመይ ጌርኩም ከም እትጥቀሙሎም ትማሃሩሉ
- ብሕገ ኢትዮጵያ ተቐባልነት ዘይብሎምን ዝተገደቡን ስራሕቲ ፈሊኹም ትፈልጡ
- ኣብ መሰርሕ ምክባር ሕግን ምፍታሕ ረብሓ ጎንዲን ምሰታፍ የክእለኩም

እዚ መሳርሒ መሰረታዊ ፍልጠትን ተግባራዊ መምርሕን ብምዕጣቕ፣ ኣብ ኢትዮጵያ ሞሰ ኣእምሮኣዊ ንብረት ዝያዳ ሓበሬታ ዘለዎን ርእሰ ተኣማንነት ዘለዎን ምትእሰሳር ምፍጣር፣ ሓለዎ መሰል፣ ተበጻሕነት፣ ምህዞን ፍትሓውነትን ንምድንፋዕ ዝዓለመ እዩ።

መዘከርታ

እዚ መሳርሒ እዚ ንወንጎቲ መሰላት ናይ ፈጠራ መሰላቶም ንክርድኡ፣ ንክሕልዉን ንክመሓደሩን ይሕግዞም። ይኹን እምበር መተካእታ ሕገ ወይ እቲ ኣዋጅ ስለዘይኮነ፣ ተጠቀምቲ ኣብ ዘድልየሉ እዋን ወግዓዊ ሕገ ወይ ሕጋዊ ምክሪ ክውከሱ ይግባእ።



1. መሰል ኣእምሮኣዊ ንብረት ኣብ ኢትዮጵያ

- 1.1. ኣእምሮኣዊ ንብረት (IP) ንምህዞ ኣእምሮ የመልክት።
- 1.2. ኣእምሮኣዊ ንብረት ንማሃዝትን ካልኣት ኣፍሪይትን ኣእምሮኣዊ መሰሎም ንምሕላው ዝዓለመ እዩ። ካብዝማሃዝዎ ወይ ዝፈጠርዎ ካልኣት ብዘይ ሕጋዊ መንገዲ ከይጥቀሙ ንምቁጽጻር፣ ብግዜ ወሲኑ መሰላቶም ይሕልው።
- 1.3. ኣእምሮኣዊ ንብረት ኣብ ክልተ ይምቀል። **ንብረት ኢንዱስትሪን መሰል ዋናን ።**
- 1.4. ንብረት ኢንዱስትሪያዊ ዝባሃሉ ምህዞታት፣ ኢንዱስትሪያዊ ዲዛይን፣ ምልክታት ንግዲ፣ ምልክታት ኣገልግሎት፣ ንግዲዊ ሽማትን ሰያመታትን፣ ናይ መንገዲ መሐበሪ ምልክት ሓዊሱ፣ ከምኡ እውን ካብ ዘይፍትሓዊ ኣሰራርሓ ምክልኻል ዘጠቓልል እዩ።
- 1.5. ሰነ-ጽሑፋዊ፣ ሰነ-ጥበባዊን ሳይንሳዊን ሰርሓት ከምኡ ውን ምርኢታት ተዋሳኒቲ ሰነ-ጥበባዊያን፣ ቅዳሓት ድምጽን ፈነወታትን፣ መብዛሕትኡ ግዜ ምስ መሰል ዋና ዝተኣሳሰር ተዛመድቲ መሰላት ወይ መሰል ዋና ኣእምሮኣዊ ንብረት ይባሃሉ።



2. ትርጉማት ፓተንት፣ ምልክታት ንግዲ፣ መሰል ቅዳሕ፣

ገለ ልሙዳት መዲያት ፓተንት፣ የቲሊቲ ሞዴላት፣ ኢንዱስትሪያዊ ዲዛይንን ምልክታት ንግዲን ምስዳህሰስና ብምቕፃል መሰል ዋና ብዕምቕት ክንድህሰስ ኣና።

- 2.1. **ፓተንት፡-** ንዝምህዞ ምህዞታቶም ንምሕላው ዝውሃብ ሕጋዊ ሰነድ እዩ።
- 2.2. **ምህዞ፡-** ናይ ሓደ መሃዚ ሓሳብ ኮይኑ ብተግባር ንሓደ ፍሉይ ፀገም ኣብ ዓውዲ ቴክኖሎጂ መፍትሒ ዝህብ እዩ።
- 2.3. **ናይ ሓለዎ ግዜ፡-** ሓደ ምህዞ ንመጀመርታ ግዜ ዓስርተ ሓሙሽተ ዓመት ናይ መሰል ሓለዎ ይረክብ። እቲ ምህዞ እናተረጎየ ተወሳኺ ሓሙሽተ ዓመት ክውስኹ ይክእል።
- 2.4. **የቲሊቲ ሞዴል፡-** ሓደ ሓደ ግዜ “ንእሸቶ ፓተንት” ተባሂሉ ይጽዋዕ። እዚኡም ከምሓድሽ ምህዞ ተቐጺሮም ሙሉ ናይ መሰል ሓለዎ ኣይረኽቡን። ቴክኒካዊ ምህዞታት እዮም። (ብፍላይ ከይዲ ምህዞኦም) ከምዚ ዝኣምሰሉ ምህዞታት ንሓዲር እዮን ሓለዎ ይረኽቡ። ዋላ እን የቲሊቲ ሞዴላት ንዝሓደረ እዮን መሰሎም ታሓልዩ ይጽናሕ፣ መብዛሕትኡ ግዜ ካብ 5-10 ዓመት መሰሎም ታሓልዩ ይጸንሕ። ዝተፈላለዩ መሳርሒታት ወይ ንዝኾነ ዕዮ ዝጠቓሙ ኮይኖም፣ ብንእሽተይ ምምሕያሻት ወይ ሓዲር ንግዲዊ ምፍላጥ ብምክያድ ምህዞ ንምትብባዕ ዓቢ ግደ ዘለዎም መሳርሒታት እዮም። ብፍላይ ንኣናእሽቱ መሃዝቲ፣ ጀመርትን ገንዘብ ንዝውሕዶም መሃዝቲ ዓቢ ረብሓ ኣለዎም።
- 2.5. ኢንዱስትሪያዊ ዲዛይን ፓተንት ናይ ዲዛይን ምህዞ ኮይኑ፣ ናብ ኢንዱስትሪ ሓድሽ ዝተጸንበረ ሰራሕ እዩ። ናይቲ ምህዞ ጽፈት ብምርኣይ ካልኣት ንዕኡ ዝመሰል ጽፈት ዘይብሉ ዲዛይን ከይሰርሑ ንምሕላው፣ ንጥፈታቱ ተራእዩ ዝውሃብ መሰል እዩ።



Protection
15+5
Years



Renewable
7
Years

- 2.6. ኢትዮጵያ ብባህላዊ ስነ-ጥበብን ፎክሎርን ኣዘያ ሃብታም ዝኾነት ሀገር እያ። እዚ ድማ ምህዘታት፣ በቢ ከባቢ ዝርከብ ስነ-ጥበባዊ ስርሓን ዘነቓቓሕ እዩ። እዞም ምህዘታት መብዛሕትኡ ግዜ ኣብ ውሽጢ ዓውዲ “ኢንዱስትሪያዊ ዲዛይናት” ይምደቡ። ኣፍልጦን ንዋታዊ ረብሓታትን ንማሃዛይ ናይ ሓደ ኢንዱስትሪያዊ ዲዛይን፣ ምህዘኡ መሰሉ ንሕሕልው ዝገብር ውጽኢታዊ ስርዓት ምክልኻል እዩ።
- 2.7. ናይ ኢንዱስትሪያዊ ዲዛይን መሰላት ናይ ሓለዎ ግዜ ካብ 5 ክሳብ 15 ዓመት ይጸንኹ። መብዛሕትኡ ግዜ እቲ ባዓል መሰል ናይቲ ስርሑ ሓለዎ ግዜ ምንዋሕ ወይ ተወሳኺ ዓመት ንምርካብ ክምዘገብን ነቲ ሓለዎ ንምሕዳስ ውዕል ክኣቱን ኣለዎ።
- 2.8. ምልክታት ንግዲ ንኣቕሑት ወይ ኣገልግሎት ሰባት ብፊደላት፣ ዲዛይን፣ ጸሑፍ፣ ቁፅሪ፣ ሕብሪ ወይ ቅርጻ ኣቕሑት ወይ መሰሪቲዎም ወይ ውህደቶም ንምፍላይ ዘኽእል ዝረኣዩ ምልክታት እዮም።
- 2.9. **ምልክት ንግዲ**፡ ሸቱኡ ክዕወት ካብ ካልኣት ምልክታት ንግዲ ፍሉይ ክኸውን ኣለዎ።
- 2.10. እቲ ምዘገባ ምልክት ንግዲ ኣብ መወዳእታ ነፍሲ ወከፍ 7 ዓመት ዝሕደስ እዩ።
- 2.11. እዞም ናይ ሓባር ናይ ኢንዱስትሪ ንብረት መሳርሒታት ሪኒና። ቀጺልና እንሪኦ ክፋል ናይቲ መሳርሒ ኣብ ኢትዮጵያ ንዝርከብ ሕጊ መሰል ዋና እዩ። መሰል ዋና ኣብ ኣዋጅ መሰል ዋናን ተዛመድቲ መሰልን ኣብ ዘተዘርዘሩ ዘተፈላለዩ ምህዘታትን ሓደሾት ፈጣሪታትን ዝምደብ መሰል ንብረት እዩ። ብዛዕባ መሰላት ፈጠርቲን ማሃዘትን ንስራሕቶም ዝምልከት እዩ።

3. መትከላት ሓለዎ መሰል ቅዳሕ

3.1. ሓለዎ ንምርካብ ዘድልዩ ነገራት

- ሓደ ደራሲ ሓደ ስራሕ ኣብ ዝፈጠረሉ ወይ ዝምህዘሉ እዮን፣ ናይቲ ስራሕ ወይ ምህዘ ጽፈት ወይ ዕላማ ብዘየገድስ፣ ብዘይ ዋዓል ሕደር መሰል ዋና ይረክብ። እቲ ስራሕ ወይ ምህዘ
- 1. ኦርጅናል እንተኾይኑ
- 2. ብዝጭበጥ፣ ዝድህሰስ፣ ዝሰማዕ ወይ ዝረኣይ መንገዲ ዝተቐመጠ (ብዓይኒ ዝረኣ፣ ብእዘኒ ዝሰማዕ ወይ ክባዛሕ ብዘኽእል መንገዲ ዝተመዘገበ)
- 3. ኣብ ኣዋጅ ቁፅሪ 410/2004 ዓንቀፅ 3 ከም ዝተገለፀ እቲ ምህዘ ምስ ኢትዮጵያ እኹል ምትእስሳር ዘለዎ፤ እና
- 4. ሓደ ስራሕ ኣብ ኢትዮጵያ ንሓለዎ መሰል ቅዳሕ ብቐዕ ንኽኸውን ኣብቲ ኣዋጅ ዝተቐመጡ ዝተወሰኑ ረጅሕታትን መዐቀቢታት ከማልእ ኣለዎ። እዚ ድማ ብደራሲነት፣ ንፈላጊ ግዜ ዝታተመ፣ ዝቐረበ ምስ ዝተሰረሐሉ ቦታ እኹል ምትእስሳር ዘጠቓልል እዩ።

3.2. ሓለዎ ዝግበረሎም ስራሕቲ

- 1. እቶም ብቐዓት ዝኾኑ ርእሰ-ጉዳያት ከምቲ ብዓንቀጽ 2 (3) ናይቲ ኣዋጅ ከምዚ ስዕብ ዝተዘርዘሩ
- 2. መጻሕፍቲ፣ ቡክሌት፣ ኣብ መጽሕፍት፣ ጋዜጣታትን ዝቐርቡ ጽሑፋት፣ መደባት ኮምፒተር፤
- 3. መደረታት፣ ኣስተምህሮታት፣ መደረታት፣ ሰብከታትን ካልኣት ኣፋዊ ስርሓትን፤
- 4. ድራማዊ፣ ድራማዊ-ሙዚቃዊ ስርሓት፣ ፓንቶማይም፣ ኮርዮግራፊካዊ ስርሓት፣ ከምኡ-ወን ካልኣት ንመድረኽ ንህዝቢ ዘተፈጥሩ ስርሓት።
- 5. ሙዚቃዊ ድርሰታት፤ ስርሓት ድምጽን ሰእልን፤
- 6. ስርሓት ስነ ህንጻ፤ ስራሕቲ ሰእሊ፣ ቅብእ፣ ቅርፃ ቅርፃ፣ ሊቶግራፊ፣ ቴፕስትሪን ካልኣት ስራሕቲ ስነ ጥበብን፤
- 7. ስራሕቲ ሰእሊ፤ ምስ ጂኦግራፊ፣ ቶፖግራፊ፣ ስነ ህንፃ ወይ ሳይንስ ዝተኣሳሰሩ ሰእልታት።
- 8. ካርታታት፣ ፕላን፣ ሰኬቶ፣ ከምኡ እውን ስለሰተ ሸነኻዊ ስራሕቲ፤
- 9. ስነ-ጥበብ ምውቃብ ወይ ምጽባቕ ፍሉጥ ነገራት (Applied Art).
 - ንፈላጊ ምህዘ ሰረት ዝገበሩ ስራሕቲ
 - ትርጉማት፣ ነቲ ዝነበረ ምህዘ እምሲልካ ምስራሕ፣ ኣስራርሓን ካልእ ለውጢ ወይ ምምሕያሽ ስርሓትን ካልእ ምቅይያራትን ናይ ሓደ ስነ-ጽሑፋዊ ወይ ስነ-ጥበባዊ ስራሕ። ኣብቲ መበቆላዊ ስራሕ ንዘሎ መሰል ዋና ከይጎድእ ከም ኦርጅናል ስርሓት ከምኡ-ወን ከም ኢንሳይክሎፔድያ ወይ ዳታቤዝ ዝኣመሰሉ ኦርጅናል

እኩባት፣ ኣብ ምምራጻም ወይ ኣስራርሓኦም ፈጠራ እንተድኣ ኣርእዮም ይሕለው።

3.3. ሓለዋ ዘይግበረሎም ሰራሕተን ምኽንያታቱን

ዝኾነ ሓሳብ፣ ከይዲ ኣስራርሓ፣ ሰርዓት፣ ኣገባብ ኣስራርሓ፣ ኣምር፣ ቀመር፣ ቁፅራዊ ሰሌዳታትን መልክዓት ሓፈሻዊ ኣጠቓቕማ፣ መትከል፣ ርኽቦት ወይ ተራ ዕለት፣ ዋላ ኣብ ሓደ ሰራሕ ዝተገለፀ፣ ዝተጸርሐ፣ ብኻልእት ዝተገለፀ፣ ዝተሳለፈ ወይ ዝተሰነየ፣ ከምኡውን ዝኾነ ሕጋዊ፣ ምምሕዳራዊ ወይ ሕጋዊ ባህሪ ዘለዎ ወግዓዊ ጽሑፍ፣ ከምኡውን ወግዓዊ ትርጉሙ ብኣዋጅ መሰል ዋና ኣይሕሎን። ከምኡ ውን ሓለዋ መሰል ዋና ከምቲ ኣብቲ ኣዋጅ ዝተጠቓሰ ነቲ ሰራሕ ዝሓዘ ዝኾነ ይኹን ኣካላዊ ነገር ኣይዘርጋሕን እዩ። ቀጺሉ ዝመጽእ ሕቶ እዚ እም ንምንታይ ዘይሕለዉ? ዝብል እዩ

እዞም ዝሰዕቡ ኣብ ግምት ብምእታው መሰል ሓለዋ ሓደ ሰራሕ ወይ ምህዞ ሓለዋ ኣይግበረሉን

1. ሓሳብን ነቲ ሓሳብ ብግብሪ ምግላጽ

- መሰል ዋና ንምርካብ ሓሳባት ናብ ግብሪ ምቕያር እምበር ነቲ ሓሳብ ንባዕሉ ጥራይ ሓለዋ ኣይግበረሉን።
- ሓለዋ ዝግበረሉ ነቲ ሓሳብ ጥራይ ተዘኸውን ነፃ ኣተሓሳስባን ርክብን ምተገደበ። ሰባት ኣብ ሓሳባቶም ተመርኩሶም ሓደሽቲ ሰራሕተ፣ ምህዞ ኣይፈጥሩን ወይ ኣየማዕብሉን።

2. ሓቅታትን ሓደሽቲ ምህዞታት ኣድማሳዊ እዮም።

- ምህዞ፣ ኣምርን ሓደሽ ሰራሕ ምፍጣር ዝኣመሰሉ ነገራት ተፈጥሮኣዊ ሓቅታት ወይ ናይ ሓባር ፍልጠት እዮም።
- ከም ስሕበት ወይ ናይ ሒሳብ ቀመር ዝኣመሰለ ምህዞታት “ክውንን” ዝኽእል ወይ ናሃተይ እዮም ክብል ዝኽእል ሰብ የለን — ኩሉ ሰብ ክጥቀመሎምን ከማዕብሎን ይኽእል እዩ።
- ህዝባዊ ረብሓን ተበፃሕነትን፡- ወግዓዊ ጽሑፋት ከም ሕግታት፣ ውሳኔታት ቤት ፍርዲ፣ ሰነዳት መንግስቲ ብናጸ ንህዝቢ ክበጽሑ ክኽእሉ ኣለዎም። ንሰነ-ጥበባዊ ወይ ሰነ-ጽሑፋዊ ዕላማታት ዘይኩኑ፡ ንግብራዊ ወይ ቴክኒካዊ ዕላማታት ዝውዕሉ ሰርሓት፡ ብመሰረት ፓተንት ወይ ምስጢራዊ ሕጊ እምበር፡ መሰል ቅዳሕ ንምክልኻል ዘያዳ ዝምኛኡ እዮም።

3. ሓደ ዕማም ወይ ሰራሕ ንምሰራሕ ንጥቀመሎም መሳርሒታት ከም ምህዞ ኣይውሰዱን ሓፈሻዊ ኣጠቓቕማ ንዋት፡- ንኣብነት ከም ቅጥዕታት፣ ሰደቓታትን ካላንደርን ዝኣመሰሉ ነገራት ኣብ መዓልታዊ ህይወት፣ ኣርእስታት፣ ጭርሖታት ዝጥቀሙሉ ደረጃ ዘለዎም መሳርሒታት እዮም። ፍሉጣት ምልክታትን ልሙዳት ሓረጎትን ብሓፈሻ ፈጠራ ዘንጸባርቑ ኣይኮኑን ንሓለዋ መሰል ዋና ዘድሊ መበቆላውነት መርትዖ የብሎምን።

3.4. ኦሪጅናል ዋንነት ቁጠባዊ መሰል

1. ኣብቲ ኣዋጅ ፍሉይት ነገራት እንተሃልዮም፡ እቲ ነቲ ሰራሕ ዝፈጠረ ደራሲ፣ እቲ መበቆላዊ ወናኒ ናይቲ ቁጠባዊ መሰላት ይኸውን።
2. ሓደ ሰራሕ ብዘሓት ጸሓፍቲ ወይ ማሃዝቲ እንተሃልይዎም፡ ናይ ሓባር መበቆላውያን ወንነቲ ናይቲ ቁጠባዊ መሰላት እዮም።
3. ንሓባራዊ ሰራሕ፣ ነቲ ምህዞ ዘበገሰን ዝመርሕን ሰብ፡ እቲ መበገሲ ወናኒ መሰል እዩ።
4. ሓደ ሰራሕ ኣብ ትሕቲ ትካል ወይ ኩባንያ እንተተፈጠሩ፡ እቲ ኣሰራሒ ወይ ትካል ዝህብ ወገን፡ ካልእ ሰምምዕ እንተዘይተገይሩሉ፣ እቲ መበቆላዊ ወናኒ ናይቲ መሰላት እዩ።
5. ንሰራሕቲ ድምጽን ሰእልን፡
 - እቲ ማሃዚ ነቲ ቁጠባዊ መሰላት ይውንኖ፣ እንተኾነ ግን ቁልፊ ግደ ዝነበሮም (ከም ጸሓፊ ስክሪፕት፣ ዲደረክተር ወዘተ) ደራሲን መሰል ውዕላዊ ክፍሊትን ይዕቅቡ።
 - ኣብ ውሽጢ እቲ ድምጽን ሰእልን ናይ ባዕሎም እጃም ዝነበሮም ሰብ ሙያ ሰራሕቲ ጸሓፍቲ ናጻ መሰል ዋና ዝተሓለወ እዩ።
6. ይኹን እምበር፡ ኣብ ሓደ ድምጽን ሰእልን ሰራሕ ቅድሚ ሕጂ ዝነበሩ ሰርሓት ሓባራዊ ጸሓፍትን ጸሓፍትን፡ ካብቲ ድምጽን ሰእልን ሰራሕ ተፈልዮም ክጥቀሙሉ ክሳብ ዝኽእሉ፡ ኣብቲ ኣበርክቶታት መሰሎም ይሕልዉ።

3.5. ቁጠባዊ ሞራላውን መሰላት ጸሓፍቲ

1. ጸሓፍቲ ቁጠባዊ ሞራላውን መሰላት ኣለዎም።
2. ቁጠባዊ መሰላት ማለት ንደራሲ ቁጠባዊ ረብሓ ንክረክብ ዝሕግዞ መሰላት እዮም።
3. ደራሲ ነዞም ዝሰዕቡ ተግባራት ናይ ምግባር፣ ፍቓድ ምሃብ ወይ ምኽልኻል ፍሉይ መሰል ኣለዎ፤
 - 3.1. ምብዛሕ ናይቲ ሰራሕ (ብመልክዕ ሕትመት ቅዳሓት ይኹን ብመልክዕ ዲጂታላዊ መራኽቢ ሓፈሻት ከም ሲዲ-ሩም ንህዝቢ ቅዳሓት ናይ ሓደ ኣብ ጽሑፍ ዝተመርኮሰ ሰራሕ ንምዘርጋሕ)፤
 - ትርጉም ናይቲ ሰራሕ (ካብቲ ኦሪጅናል ወጻኢ ብኻልእ ቋንቋታት)፤
 - ነቲ ናይ ባዕሉ ሰራሕ ምቕያር (ሓደ ሰራሕ ካብ ሓደ ዓይነት ሰራሕ ናብ ካልእ ከም ልብ-ወለድ ናብ ፊልም ምቕያር)፡ ምድላው ወይ ካልእ ምቕያር ናይቲ ሰራሕ፤

3.2. እቲ ኦርጅናል ወይ ቅዳሕ ናይቲ ሰራሕ ብመሸጣ ወይ ብክራይ ናብ ህዝቢ ምክፍፋል፤

- ናይቲ ሰራሕ ኦርጅናል ወይ ቅዳሕት ካብ ወጻኢ ሀገር ምእታው፤
- ናይቲ ኦርጅናል ወይ ቅዳሕ ናይቲ ሰራሕ ንህዝቢ ምርኣት ችራብ፤
- ምርኣት እቲ ሰራሕ (ንኣብነት ህዝባዊ ንባባት፣ ድራማውን ሙዚቃውን ምርኣታት ኣብ ቅድሚ ተዓዘብት ምርኣይ)

3.3. ፈነወ ናይቲ ሰራሕ (ብሬድዮ፣ ኢንተርኔት ወይ ብሳተላይት)፤

- ብኻልእት መንገድታት ነቲ ሰራሕ ናብ ህዝቢ ምቕራብ

4. መሰል ምቁጽጻር ክራይ ወይ ልቓሕ ብሓፈሻ ኣብ ፕሮግራማት ኮምፒተር ኣይምልከትን። እቲ ሶፍትዌር ባዕሉ እቲ ቀንዲ ዝካረ ንብረት እንተዘይኮይኑ። ኣካል ናይ ሓደ መሳርሒ ጥራይ እንተኾይኑ። እቲ መሰል ዘለዎ ሰብ ነቲ ክራይ ክእግዶ ኣይክእልን እዩ። እቲ ፕሮግራም ቀንዲ ትኹረት ዝወሃዮ እንተኾይኑ ግን ኣጠቓቕምኡ ክቆጻጸርዎ ይክእሉ።

ንኣብነት፡- ቅድሚኡ ዝተተኸለ ሶፍትዌር ዘለዎ ኮምፒተር ምክራይ ዝተገደበ ኣይኮነን፣ እንተኾነ ግን እቲ ሶፍትዌር ንባዕሉ (ከም ዲዛይን ወይ ኤዲቲንግ ሶፍትዌር) ምክራይ ኣብ ትሕቲ ቁፅፅር ወናኒ መሰል ዋና ይርከብ።

3.6. መሰል ዳግመ-መሸጣ ኦርጅናል ስነ-ጥበባዊ ሰርሓትን ኢደ-ጽሑፋትን ድርይት ደ ሱት ሓደ ኦርጅናል ስነ-ጥበባዊ ሰራሕ (ከም ሰእሊ፣ ቅርጺ ወይ ሰእሊ) ወይ ኦርጅናል ኢደ-ጽሑፍ (ከም ብኢድ ዝተጻሕፈ መጽሓፍ ወይ ሙዚቃዊ ድርሰት) ድሕሪ ናይ መጀመርታ መሸጣ ብደራሲ ዳግማይ ክሸየጥ ከሎ፡ እቲ ደራሲ ወይ ወረሰቲ ካብቲ ዳግመ-መሸጣ ዋጋ ብጽሑት ክረኽቡ መሰል ኣለዎም።

እዚ መሰል እዚ ድማ፤

- ዘይምንዛዕ ማለት ክሕደግ ወይ ናብ ካልእ ሰብ ክሰጋገር ኣይክእልን እዩ።
- ንኻልእይ ግዜ ክሸየጥ ይክእል ድሕሪ እቲ ብፈጣሪ ዝተገብረ ናይ መጀመርታ መሸጣ ጥራይ እዩ ዝምልከት።
- እቲ ቐንዲ ዕላማ ማሃዘቲ ወይ ወረሰቲ ምሰ ግዜ ካብ ዝውሰኽ ዋጋ ሰርሓም ተጠቀምቲ ኮይኖም ክቕጽሉ ዝዓለመ።

እቲ ትክክለኛ ዋጋ ናይቲ ዳግመ-መሸጣ እዚ መሰል ዝምልከቶ ፍሉይ ቅድመ ኩነትን ብመጻኢ ኣብ ትሕቲ ሰልጣን እቲ ኣዋጅ ብዝወጽእ ደንቢ ክግለጽ እዩ።

እዚ ኣምር እዚ ብዓለምለኻዊ ደረጃ “droit de suite” (መሰል ምክታል) ተባሂሉ ተፈላጥነት ዘለዎ ኮይኑ፣ ንስነ-ጥበባውያን ጥራይ እቲ ቀዳማይ መሸጣ ካብቲ ቁጠባዊ ረብሓ ሰርሓቶም ብጽሑት ክረኽቡ ብምፍቃድ ደገፍ ዝህብ እዩ።

3.7. ሞራላዊ መሰላት

1. ዋንነት ናይቲ ቁጠባዊ መሰላት ብዘየገድሰ ደራሲ እቲ ሰራሕ ኣብ ልዕሊ ሰርሑ ሞራላዊ መሰል ኣለዎ።
2. ሞራላዊ መሰላት ደራሲ፤
 - እቲ ሰራሕ ብኣጋጣሚ ይኹን ኹን ተባሂሉ ብፈነወ ኣቢሉ ብዜና ወይ እዋናዊ ፍጻመታት ኣብ ምሕባር እንተዘይኮይኑ፣ ደራሲ ሰርሑ (መሰል ኣቦነት) ክሓትት፤
 - ናይ ማሃዘይ ስሙ ከይተገለጸ ምጽናሕ ወይ ቅጽል ስም ወይ ሳን ምጥቃም፤
 - ዝኹን ይኹን ምዝባዕ፣ ምቕራጽ እቲ ሰራሕ ወይ ካልእ ምቕያር ሰርሑ □መሰል ቅንዕና)፣ ከምዚ ዓይነት ተግባር ንክብሩ ወይ ዝናኡ ዝጎድእ ወይ ዝሀሰይ እንተኾይኑ ምቕዋም።
 - ሰርሑ ወይ ምህዙ ናይ ምሕታም መሰል

3.8. ቁጠባዊ መሰላት ንክንደይ እዋን ይጸንሑ

1. ንውሓት ግዜ ቁጠባዊ መሰላት ዝጸንሑሉ ድሕሪ ሞት ደራሲ ሓምሳ (50) ዓመት እዩ።
2. እቲ ሰራሕ ብሓባር ዝተሰርሕኦ እንተኾይኑ ናይ ሓምሳ (50) ዓመት ዕድመ ካብ ሞት ናይቲ ናይ መወዳእታ ብህይወት ዘሎ ደራሲ ዝጅምር እዩ።
3. ድሕሪ ሞት ዝሰራሕ ሰራሕ ናይ 50 ዓመት ዕድመ ካብታ ሰራሕ ዝተሓትመሉ ዕለት ጀሚሩ ይጅምር።
4. ቁጠባዊ መሰላት ኣብ ሓደ ሓባራዊ ሰራሕ (ሰራሓት ድምጽን ሰእልን ከይሓወሰ) ካብ ዝፍጠር፡ ምሕታሙ ወይ ንህዝቢ ካብ ዝዘርጋሕ ን50 ዓመታት ዝጸንሕ እዩ።
5. ስምም ዘይተገለጸ ወይ ቅጽል ስም ወይ ሳን ዘለዎም ሰርሓት፡ ቁጠባዊ መሰላት ካብ ፈላሚ ሕትመት ወይ ንህዝቢ ዝዘርጋሕ 50 ዓመት ዝጸንሕ እዩ።
6. ቅድሚ ሓምሳ (50) ዓመት ምውዳኡ መንነት ደራሲ ኣብ ዝፍለጠሉ እዋን፡ እቲ ቁጠባዊ መሰላት ኣብ ዕድመ ደራሲን ድሕሪ ሞቶም ሓምሳ (50) ዓመትን ይሕሉ።
7. ናይ ሓደ ስእላዊ ሰራሕ ናይ ቁጠባዊ መሰላት ግዜኡ እቲ ሰራሕ ካብ ዝሰራሕ ዕሰራን ሓሙሽተን ዓመት እዩ።
8. ቁጠባዊ መሰላት ኣብ ሓደ ድምጽን ሰእልን ሰራሕ ካብ ዝፍጠር ወይ ንህዝቢ ዝዘርጋሕ ጀሚሩ ን50 ዓመታት ዝጸንሕ።
9. መሰል ኣፈፃፀማ ሰራሕ ክሳብ መወዳእታ መበል 50 ዓመት እቲ ኣፈፃፀማ ምስተመዝገበ ወይ እንተዘይተመዘገቡ እቲ ኣፈፃፀማ ምስተፈፀመ ዝፀንሕ ይኸውን
10. መሰል ምቕራጽ ድምጺ ካብ ዝሕተም ጀሚሩ 50 ዓመት ወይ እንተዘይተሓትሙ ካብ ዝወጸሉ ጀሚሩ 50 ዓመት ዝጸንሕ፤
11. ትካላት ፈነወ፡ ካብ መወዳእታ ዓመት ፈነወ 20 ዓመት

3.9. መሰል ዋና ንኻልኦት ምትሕልላፍ

- 1. ቁጠባዊ መሰላት ብሙሉእ ይኹን ብኸፊል ክማሓላለፉ ይኽእሉ።
- 2. ምስጋር ቁጠባዊ መሰላት ብጽሑፍ ክኸውን ይግባእ።
- 3. ኣብቲ ምትሕልላፍ ብግልፂ ዝተገለፁ መሰላት ጥራሕ እዮም ዝሰጋገሩ።

3.10. ዝተማሓላለፈ መሰል ዘጸንፋሉ እዋን

- 1. ምትሕልላፍ ኣብቲ ሰምምዕ ዝተገለፁ ቁጠባዊ መሰላት ጥራሕ ዝሸፍን እዩ።
- 2. ምትሕልላፍ ቁጠባዊ መሰላት ናብቲ ሰራሕ ዝሓዘ ኣካላዊ ኣቕሓ ኣይሰግርን።
- 3. ሰምምዕነት ናይ ግዜ ገደብ እንተዘይኣነጸሩ ድሕሪ 10 ዓመት ምትሕልላፍ ቁጠባዊ መሰላት ይውዳእ።
- 4. ሓደ ሰምምዕነት እቶም መሰላት ብኸመይ ክጥቀሙሉ ወይ ክምዘመዙ ከምዘኽእሉ እንተዘይተነጻጸሩ እቲ ስብ ከም ኣድላይነቱ ተኻታዕቲ ወገናት ዝሓሰቦ ዕላማ ንምፍፃም ክጥቀሙሎም ይኽእል እዩ።
- 5. ቁጠባዊ መሰላት ኣብ ጥቕሚ ዘይወዳሉ ወይ ንደራሲ ዝጎድእ እንተዘይኮይኑ ደራሲ ነቲ ዘማሓላለፎ መሰል ክሰርዞ ይኽእል።

3.11. ፍቓድ መሰል ዋና

- 1. ፍቓድ ቁጠባዊ መሰላት ብሙሉእ ይኹን ብኸፊል ክኸውን ይኽእል እዩ ብፅሑፍ ድማ ክኸውን ኣለዎ።
- 2. ፍቓድ ቁጠባዊ መሰላት ንበይኑ ወይ ዘይፍሉይ ክኸውን እውን ይኽእል እዩ።
- 3. ፍሉይ ፍቓድ ወሃቢ ፍቓድ ነቲ መሰላት ክጥቀሙሉን ንደራሲ ሓዊሱ ንኻልኦት ከግልልን የኽእሉ።
- 4. ፍሉይ ዘይኮነ ፍቓድ ወሃቢ ፍቓድ ነቲ መሰላት ጎሲ ጎሲ ደራሲን ካልኦትን ክጥቀሙሉ የኽእሉ።
- 5. ኣብቲ ፍቓድ ብግልፂ ዝተገለፁ መሰላት ጥራሕ እዮም ዝሰጋገሩ

3.12. ፍቓድ ዘጸንፋሉ እዋን

- 1. ፍቓድ ኣብቲ ሰምምዕ ዝተገለፁ ቁጠባዊ መሰላት ጥራሕ ዝሸፍን እዩ።
- 2. ፍቓድ ቁጠባዊ መሰላት ናብቲ ሰራሕ ዝሓዘ ኣካላዊ ኣቕሓ ኣይሰግርን።
- 1. ሰምምዕነት ናይ ግዜ ገደብ እንተዘይኣቐሚጡ ፍቓድ ቁጠባዊ መሰላት ድሕሪ 5 ዓመት ይውዳእ።
- 3. ሰምምዕነት እቶም መሰላት ብኸመይ ክጥቀሙሉ ወይ ክርብሑ ከምዘኽእሉ እንተዘይገለፀ እቲ ወሃቢ ፍቓድ ከም ኣድላይነቱ ተኻታዕቲ ወገናት ዝሓሰቦ ዕላማ ንምፍፃም ክጥቀሙሎም ይኽእል እዩ።
- 4. ቁጠባዊ መሰላት ኣብ ጥቕሚ ዘይወዳሉ ወይ ንደራሲ ዝጎድእ እንተዘይኮይኑ ደራሲ ነቲ ፍቓድ ክሰርዞ ይኽእል።

3.13. ንዘለና ዋና መሰልን ፈቓድን ንኻልኦት ክነማሓላልፍ እንተለና ክንፈልጦም ዝግቡኡ

- ነቲ ውዕል ሰምምዕ ክንጽሕፍ ወይ ክነዳልው ከለና፣ ነዘም ዝሰቡኡ ኣብ ግምት ነእትው
- 2. እቲ ዝሃብናዮ መሰል ዱሩት ክኸውን ኣለዎ።- እቲ ሰምምዕ እንታይ ዓይነት መሰላት ወይ ፍቓድ ይሰጋገር ከምዘሎ ብንጹር ክገልጽ ኣለዎ (ንኣብነት፡ ነቲ ሰራሕ ምብዛሕ፣ ምዝርጋሕ ወይ ምምሕያሽ)።
- 3. ንኸንደይ እዋን ከምዘጸንሕን ቦታኡን፡- እቲ ሰምምዕ ዝሸፍና ናይ ግዜ ገደብን ጂኦግራፊያዊ ከባቢን ግለጽ።
- 4. ካሕሳ፡- ዝኹን ይኹን ናይ ክፍሊት ውዕላት፡ እንተላይ ንርያልቲ ወይ ብሓደ ግዜ ዝኸፈል ክፍሊት ኣቐምጥ።
- 5. ሞራላዊ መሰላት፡- ጸሓፍቲ ወይ ደረሰቲ ክኸደግ ወይ ክሰጋገር ዘይክእል ሞራላዊ መሰላት ኣለዎም። ሰምምዕካ ምስ ውዕላት ናይቲ ኣዋጅ ከም ዝሰማማዕ ኣረጋግጽ።
- 6. ኣመሓዳሪ ሕገ፡- ሰምምዕትኩም ዝኸተልዎ ሕገ ወይ ደንቢ ኣመልክቱ፡- ኣዋጅ ቁፅሪ 410/2004 ወይ ቁፅሪ 872/2014 ምስቲ ኣብ ትሕቲ ሲቪል ኮድ ዘሎ ግቡእ ድንጋገታት ሕገ ውዕሊ ተደማሩ።

3.14. ብርክታት ፈቓድን መሰል ዋና ምምሕልላፍ

- 1. ዝሳተፉ ወገናት ምፍላይ
 - 1.1. **እቲ ዘማሓላልፍ ሰብ ወይ ፍቓድ ዝህብ፡-** ናይቲ ሰራሕ ወይ ምህዞ መበቆላዊ ወናኒ ወይ ባዓል ዋና እዩ።
 - 1.2. **ዝተማሓላለፈሉ ወይ ፈቓድ ዝተቀበለ፡-** እቲ መሰላት ዝቐበል ውልቀሰብ ወይ ኣካል እዩ።
 - 1.3. ምሉእ ሕጋዊ ሸም ናይ ክልቲኦም ወገናትን ዝርከቡሉ ኣድራሻ።
- 2. ነቲ ሰራሕ ብንጹር ምግለጽ
 - 2.1. ነቲ ሰምምዕ ዝተበጽሑሉ ሰራሕ ወይ ምህዞ ብንጹር ግለጽ። እዚ ድማ፣
 - 2.2. ኣርእስቲ ናይቲ ሰራሕ።
 - 2.3. ዓይነት ሰራሕ (ንኣብነት ሰነ-ጽሑፋዊ፣ ሙዚቃዊ፣ ሰነ-ጥበባዊ)።
 - 2.4. ዝተፈጠረሉ ዕለት።
 - 2.5. ቁጽሪ ምዝገባ፣ ኣድላዪ እንተኾይኑ።
 - 2.6. ከም ኣድላይነቱ ኣብቲ ሰራሕ ናውኑታት ወይ መወከሲታት ምምላእ።
- 3. ዱሩትነት እቲ መሰል
 - 3.1. **ምትሕልላፍ፡** ኩሉ መሰላት ከምዝተሰጋገረ ግለጽ።
 - 3.2. **ፍቓድ ምሃብ፡** ብዛዕባ እቲ ዝተዋህበ ፍሉይ መሰላት ብዝርዝር ምግለጽ። ንኣብነት

- መሰል ምብዛሕ ድዩ።
- ናይ ምክፍፋል መሰል ድዩ።
- ንዕዲም ህዝቢ ኣብመድረኽ ናይምቕራብ መሰል ድዩ።
- ነቲ ሰራሕ ናይ ምቕያር መሰል ድዩ።

- 3.3. እቲ ዝተዋሃበ ፍቓድ ፍሉይ መሰል ድዩ ኣይኮነን ዝብል ኣመልክቱ።
4. ንኽንደይ እዋን ከምዝጸንሕን ቦቱኡን ጽርሑ
 - 4.1. ንውሓት ግዜ፡- ናይቲ ሰምምዕ ናይ ግዜ ገደብ ግለጽ (ንኣብነት፡ 5 ዓመት፡ ንዘልኣለም)።
 - 4.2. ቦታ፡- እቲ መሰል ዝምልከቶ ጂኦግራፊያዊ ከባቢ ምግላጽ (ንኣብነት ኢትዮጵያ፡ ብዓለምለኽ ደረጃ)።
5. ናይ ካሕሳ ውዕላት ምእታው
 - 5.1. ነቲ ፋይናንሳዊ ምድላዎት ብዘርዘር ግለጽ፣ ከም፤
 - ብሓደ ግዜ ዝኸፈል
 - ናይ ርያልቲ ክፍሊት ብሚእታዊ።
 - እቲ ክፍሊት ማዓዝ ከምዝዋሃብ ምግላጽ
 - 5.2. ኣድላዩ እንተኾይኑ ገንዘቡ ከምዝዋሃቦ ዋሓስ ዝኸውን ወይ ዘተእማምን ድንጋገታት ኣብቲ ውዕል ኣካትቱ።
6. ውክልናን ዋሕሰን ኣብቲ ውዕል ምክታት
 - 6.1. እቲ መሃዚ/ፍቓድ ዝሃበ ሰብ ከምዚ ዝሰዕብ ከረጋግጽ ኣለዎ፤
 - ናይቲ ሰራሕ ባዓል ዋና ምኪኒ
 - እቲ ሰራሕ ንዝኾነ ናይ ሳልሳይ ወገን መሰል ዝጥሕስ ከምዘይኮነ
 - ኣብቲ ሰምምዕ ናይ ምእታው ሰልጣን ከምዘለዎ
7. ኣመሓዳሪ ሕጊ ምግላጽ
 - 7.1. ዝምልከቶም ድንጋገታት ኣዋጅ መሰል ዋና ወይ ፍትሃብሄር ሕጊ ኢትዮጵያ
8. ከም ኣድላይነቱ ተወሳኺ ዓንቀጻት ምውሳኽ

ነዘም ዝሰዕቡ ኣብቲ ውዕል ምእታው ከይርሳዕ

 - 8.1. ውዕል ብኸመይ ከምዝቋረጽ
 - 8.2. ኣገባባት ኣፈታትሓ ዘይምርድዳእ
 - 8.3. ሚስጥር ከምዝሕለው ዝገብሩ ድጌታታት
 - 8.4. ልዕልሊ ዓቕሚ ዝኾኑ ጸገማት እንተጓጎፉ ብኸመይ ከምዝፍትሑ

9. ሰምምዕነት ምዝዛም
 - 9.1. ኩሎም ወገናት ነቲ ሰምምዕ ከምዝፈረሙን ዕለት ከምተጻሓፈ ምርግጋጽ
 - 9.2. ዝያዳ ሕጋዊ ንኽኸውን ሓቅነቱ ምርግጋጽ
 - 9.3. ንኹሎም ዝምልከቶም ወገናት ቅዳሓት ምሓዝ
- 3.15. ናይ ድምጺ ሪከርዲንግ ፕሮዲዩሰራት ባዓል ዋና ምኪኒም መለለዩ

ፕሮዲዩሰር ንናይ ድምጺ ሪከርዲንግ ወይ ድምጽን ስእልን(ኦዲዮቪዥኖል) ሰርሓት ኣርእስቲ፣ ሸም፣ ደራሰን ቀንዲ ተዋሳኢትን፣ ሸም ወይ ምልክት ፕሮዲዩሰር ብጽሑፍ ወይ ብሰም ዋና ክለለዩ ኣለዎም። ማሕበረሰባዊ መዘምራን ወይ ኦርኬስትራታት ብሰም እቲ ዝመርሖም ውልቀሰብ ክሰመዩ ኣለዎም። እዚ ድማ ግሉጽነት የሰፋሕፍሕ፣ እቶም ግቡእ ኣፍልጦ ዘለዎም ግቡእ ኣፍልጦ ከም ዝረኽቡ ይገብር፣ ከምኡውን መሰል ኩሎም ኣብቲ ሰራሕ ዝሳተፉ ወገናት ዝሕሉን ዘኽብርን እዩ።
- 3.16. መሰሉ ዝታሓለወ ሰራሕ ብኸመይ ይፍለጥ?

ንንግዳዊ ዕላማ ዝተሰርሐ ድምጽን ስእልን ወይ ድምጺ ዝተቐድሐ እንተኾይኑ ንምልላይ ወይ መሰል ኣፍራዩ ከምዝተሓለወ ዘመልክት ምልክት (P) ክህልዎ ኣለዎ። እቲ ሰራሕ ንመጀመርታ ግዜ ዝተሓትመሉ ወይ ዝተሓትመሉ ዓመት ከርኢ ኣለዎ። እዚ ድማ እቲ ሰራሕ መሰል ቅዳሕ ከም ዘለዎ ንህዝቢ ይሕብር። እዚ ድማ እቶም ኮነ ኢሎም ነቲ ሰራሕ ንውልቃዊ ርብሓኦም ክጥቀሙሉ ዝሓሰቡ “ኣይፈለጥናዮን” ከይብሉ ክሕገዝ እዩ። እዚ ንምግባር ብሕጊ ዝግደድ እኳ እንተዘይኮነ፡ መሰል ዝያዳ ዘኽብር እዩ። ናይ ርብሓ ጎንጸ እንተጋጠሙ ከም ናይ መጀመርታ ሕጋዊ መርትዖ ኮይኑ የገልግል።
- 3.17. ድሩትነትን ፍሉይት ኩነታትን

ብፍትሓዊ መንገዲ ክሳብ ዝሰራሕ፡ መሰል ቅዳሕ ዘለዎም ሰርሓት ብዘይ ፍቓድ ወይ ክፍሊት ካብ ሳልሳይ ወገን ክትጥቀም ትኽእል ኢኻ፡ ንኣብነት፤

 1. ንውልቃዊ ዕላማ ምብዛሕ፤
 2. ምጥቃስ፤
 3. ንመምሃሪ ዝኸውን ምብዛሕ፤
 4. ብቤተ-መጻሕፍቲ፣ ማህደርን ተመሳሰልቲ ትካላትን ምብዛሕ፤
 5. ሓበሪታ ዝህብ ምብዛሕን ናብ ህዝቢ ምዘርጋሕ
 6. ብሕጋዊ መንገዲ ሶፍትዌር ምብዛሕን ምቕያርን፤
 7. ንውልቃዊ ዕላማ ካብ ወፃኢ ምእታው፤
 8. ናይ ብሕቲ ኣፈፃፀማ ብነፃ፤
 9. ግዴታዊ ፍቓድ ምሃብ፤
 10. ምርኣት ሰራሕቲ፤
 11. ምክፍፋል ቅዳሓት ሰራሕቲ

3.18. ምዝገባ መሰል ዋና

1. መን እዩ መሰል ዋና ክምዝገብ ዝኽእል

- 1.1. እቲ ወናኒ መሰል ቅዳሕ ወይ እቲ መሰላት ዝሰጋገረሉ ሰብ ንመዝገብ ከመልክት ይኽእል። እቲ በዓል መዚ ብመሰረት እቲ ኣዋጅ ሰራሕተ ናይ ምምዝገብን ናሙና ቅዳሓት ናይ ምሕላውን ሓላፍነት እውን ኣለዎ።
- 1.2. ዝኾነ ይኹን ንመሰል ቅዳሕ ብቐዕ ዝኾነ ሰራሕተኛ ኣብ ዓንቀጽ 6 ናይቲ ኣዋጅ ረጅሒታት ዘማልእ እንተኾይኑ ክምዝገብ ይኽእል።

2. ንምምዝገብ ዘድልዩ ረጅሒታት

2.1. ረጅሒታት ብሓፂሩ፤

- ዝተመልእ ቅጥዒ መመልከቲ
- ዝተዋህበ ቃለ መሓላ
- ናሙና ናይቲ ሰራሕተኛ (ንኣብነት ብሲዲ፣ ብፍለሽ)
- ናይ ኣገልግሎት ክፍሊት ዝተኸፍለሉ መርትዖ
- መለለዪ ሰነድ

2.2. ረጅሒታት ብዝርዝር

- ምዝገባ መሰል ዋና ዝሓቱ ሰባት ብዛዕባ እቲ ኣመልካቲን ደራሲ ወይ ወናኒ እቲ ምህዘን ዝርዝር ሓበሬታ ክቕርቡ ኣለዎም። ኣርእስቲ ናይቲ ሰራሕተኛ፣ ምድቡ፣ ቋንቋኡ፣ ኩነታት ሕትመት፣ ቅድሚ ሕጂ ዝተሓትሙ ሰርሓት፣ ከምኡ'ውን ካልእ ብበዓል መዚ ኣእምሮኣዊ ንብረት ዝሓተቶ ኣድላዪ ሓበሬታ የጠቓልል።
- ኣመልክትቲ መንነት መረጋገጺ፣ ሕጋዊ ኩነታት መረጋገጺ (ሕጋዊ እንተኾይኑ)፣ ናይ ውክልና ስልጣን (ኣድላዪ እንተኾይኑ)፣ ዋንነት መረጋገጺ (ደራሲ እንተዘይሃልዩ)፣ ናይ ኣገልግሎት ክፍሊት ቅብሊትን ካልኣት ኣድላይቲ ሰነዳትን ሒዞም ክመጡ ኣለዎም። ዝኾነ ሰነድ ብኣምሓርኛ ወይ ብእንግሊዝኛ ዘይኮነ ናብ ኣምሓርኛ ወይ እንግሊዝኛ ክትርጎም ኣለዎ።
- ናይ መሰል ዋና ምዝገባ መመልከቲ ብኣምሓርኛ ወይ ብእንግሊዝኛ ክቕርብ ኣለዎ። እቲ መመልከቲ ብፖስታ ወይ ብኢንተርኔት ክቕርብ ይኽእል። ብፖስታ ዝለኣኽ መመልከቲ ስምን ኣድራሻን እቲ በዓል መዚ ብገጽ ክገልጽ ኣለዎ። እቲ በዓል መዚ ኣድላዪ ኮይኑ እንተረኺቡ ነቲ ኣመልካቲ ወይ ወኪሎም ብኣካል ክቕርብ ክሓትት ይኽእል።
- ብዘይካ ከም ኢንሳይክሎፔዲያ ዝኣመሰሉ ተኸታታሊ ሰራሕተኛ ነፍሲ ወከፍ ናይ ምዝገባ መመልከቲ ሓደ ሰራሕተኛ ጥራይ ክሕዝ ኣለዎ። ከም ኢንሳይክሎፔዲያ ዝኣመሰሉ ተኸታታልቲ ሰርሓት ኣብ ሓደ መተግበሪ ክምዝገቡ ይኽእሉ።

- እቲ በዓል መዚ እቲ መመልከቲ ዘድሊ ረጅሒታት ከምዘማልእ ንምርግጻዕ ግቡእ ምፍታሽ ከካይድ እዩ። ጉድለታት እንተተረኺቡም ኣብ ውሽጢ ሓደ ወርሒ መእረምታ ክገብር ኣመልካቲ ይሕበር። እቲ ጉድለታት ኣብ ውሽጢ ሓደ ወርሒ ክእረሙ እንተዘይክኢሎም እቲ መመልከቲ ከም ዝተነጻጻይ ይቐጥር።
- እቲ በዓል መዚ ነቲ ዝቐረበ መመልከቲ ንምርግጻዕ ዕሙቕ ዝበለ ምርመራ ኣይገብርን። ይኹን እምበር ኣመልካቲ ዋንነቶም ዘረጋገጹ ዘዕግብ መርትዖ ክቕርብ ይጠልብ። እቲ ዝቐረበ መርትዖ ሓሶት ኮይኑ እንተተረኺቡ እቲ ኣመልካቲ ብመሰረት ተግባራዊ ዝኾኑ ሕግታት ብገበን ተሓታቲ ይኸውን።

2.3. ምሃብ ምስክር ወረቐት፣ ትሕዝቶን ውፅኢቱን

- እቲ ባዓል መዚ ሰራሕተኛ ክምዝገብን እቲ መመልከቲ ነቲ ናይ ፎርማላቲ ረጅሒታት ዘማልእ እንተኾይኑ ናይ ምዝገባ ምስክር ወረቐት ክህብን እዩ።
- እቲ ብቤት ፅሕፈት ዝወሃብ መሰል ቅዳሕ ዘለዎ ሰራሕተኛ ዝምልከት ምስክር ወረቐት ምዝገባ ቁፅሪ ምዝገባ፣ ዝርዝር ኣመልካቲ፣ ዕለት መመልከቲን እቲ ምዝገባ ዝፀንሓሉ ግዜን ዘጠቓልል ክኸውን እዩ።
- እቲ ናይ ምዝገባ ምስክር ወረቐት ከም ቅድመ መርትዖ ዋንነት ናይቲ ሰራሕተኛ ኮይኑ የገልግል።
- ሓደ ሰራሕተኛ ዘይምምዝገብ ብመሰረት እቲ ኣዋጅ ንሓለዎ መሰል ቅዳሕ ዝጸልዎ ኣይኮነን።
- እቲ ናይ ምዝገባ ምስክር ወረቐት ንሓሙሽተ ዓመት ዝጸንሕ እዩ። ንሓሙሽተ ተኸታታልቲ ዓመታት፣ ክሳብ እቲ ናይ ምክልኻል ግዜ ዝውዳእ፣ ኣብ ውሽጢ ሽዱሽተ ኣዋርሕ ካብ ምውዳእ ክሕደስ ይኽእል። ኣብቲ ዝተፈቐደ ግዜ ዘይምሕዳስ ውጽኢቱ እቲ ምስክር ወረቐት ክሰረዝ እዩ።
- ምዝገብ መሰል ቅዳሕ ዘለዎ ሰራሕተኛ ከምደብ ኮሎ፣ እቲ ዝተዋህበ ሰብ ናይቲ ምምዳብ መርትዖን ክፍሊት ምክፋል መርትዖን ሒዞ ናብ ቤት ጽሕፈት ከመልክት ይኽእል። እቲ ቤት ፅሕፈት ነቲ ምደባ ብምምዝገብ ብሰም እቲ ዝተመደበ ሰብ ምስክር ወረቐት ይህብ።

3.19. ምሃብ ምስክር ወረቐት፣ ትሕዝቶን ውፅኢቱን

- 1. እቲ መመልከቲ ኣድላይቲ ረጅሒታት ዘማልእ እንተኾይኑ እቲ በዓል መዚ ነቲ ሰራሕተኛ ብምምዝገብ ናይ ምዝገባ ምስክር ወረቐት ይህብ።
- 2. እቲ ብበዓል መዚ ዝወሃብ ምስክር ወረቐት ምዝገባ መሰል ቅዳሕ፣ ቁጽሪ ምዝገባ፣ ዝርዝር ኣመልካቲ፣ ዕለት መመልከቲን ንውሓት ግዜ ምዝገባን የጠቓልል።
- 3. እቲ ዝተረኸበ ናይ ምዝገባ ምስክር ወረቐት ከም ቅድመ መርትዖ ዋንነት ናይቲ ሰራሕተኛ ኮይኑ የገልግል።
- 4. ሓደ ሰራሕተኛ ዘይምምዝገብ ብመሰረት እቲ ኣዋጅ ንሓለዎ መሰል ቅዳሕ ዝጸልዎ ኣይኮነን።

5. ናይ ምዝገባ ምስክር ወረቐት ንሓውሽተ ዓመት ዘጸንክ እዩ። ድሕሪ ሓውሽተ ተኸታተልቲ ዓመታት ኣገልግሎት ክሳብ እቲ ናይ ምጽባይ ግዜ ዘውዳእ ኣብ ውሽጢ ሽዱሽተ ወርሒ ክሕደስ ኣለዎ። ኣብቲ ዝተፈቐደ ግዜ ዘይምሕዳስ ውጽኢቱ እቲ ምስክር ወረቐት ክሰረዝ እዩ።
6. ምዝገብ መሰል ቅዳሕ ዘለዎ ሰራሕ ናብ ካልእ ወገን ምስተሰጋገረ እቲ ዝተሰጋገረ ሰብ መረጋገዚ ምስግጋርን መረጋገዚ ክፍሊትን ሒዞ ናብቲ በዓል መዚ ከመልክት ይክእል። በዓል መዚ ነቲ ሰራሕ ብምምዝጋብ ብሰም እቲ ዝተሰጋገረሉ ሰብ ምስክር ወረቐት ይህብ።

ምግሃስ መሰል ዋና

1. መሰል ዋና ተጣሒሱ ዝገባሃል ሓደ ውልቀ ሰብ ብዘይ ፍቓድ እቲ ሰብ ዋና ዝተሓለወ ፈጠራዊ ሰራሕ ክጥቀም ከሎ እዩ።
2. ምጥሓስ ካብ ሕሉፍ ሰራሕ ፋይናንሳዊ መክሰብ ንምርካብ ዝዓለመ ኮይኑ፣ መብዛሕትኡ ግዜ መሰል ዋና ዘለዎም ስርሓት ብውድብ ምብዛሕን ምዝርጋሕን ዘጠቓልል እዩ። ተጠቀምቲ ሓደ ወይ ክልተ ምትላል ክርእዩ ይክእሉ እኳ እንተኾኑ፣ መብዛሕትኡ ግዜ ብድሕሪ እቲ ምትላል ሰፊሕ ዘይሕጋዊ ንጥፊታት ይፍጸም እዩ።
3. ፈጠራዊ ሰራሕተኛ ብዘተወደበ ኣገባብ ተሰሪፎም ኣብ ሓጺር ግዜ ናብ ህዝቢ ይዘርግሑ። ይኹን እምበር ፅሬት እቶም ሰራሕተኛ እናነከየ መጻኢ እዩ። ብተወሳኺ ወንጌቲ እቲ ምህዞ ግቡእ ረብሓኡም ከይረክቡ ይገብር። እዚ ድማ ሓደስቲ ፈጠራዊ ሰራሕተኛ ከይቅልቀሉ ዝክልክልን ኣብቶም ሰራሕተኛ ረብሓ ዝዓገትን እዩ። ብሓፈሻ ንሰነጥበባውያንን ተጠቀምትን ይጎድእ።
4. ምግሃስ መሰል ዋና፣ ብትሑት ወፃኢን ትሑት ፅሬትን ዘለዎም ሰራሕተኛ ብምቕራብ፣ ኣብ ተጠቀምቲ፣ ሰብ ሃፍቲ፣ መሰል ዋና ዝድግፉ ኣካላትን መንግስትን ጉድኣት የሰዕብ። ፈጠርቲ ሰባትን ነቶም ዝድግፍዎም ትካላትን ምንጪ ኣታዊ ይክልእም። ሓደስቲ ሰራሕ ምስ ዝፍጠሩ ኣፍደገ መክሰብ ይዕጹ። ንመንግስቲ ካብ ግብሪ እቶት ብምክላእ ሕግታት ኣእምሮኣዊ ንብረት ኣብ ምትግባር ጸቕጢ ይገብር።
5. ምጥሓስ መሰል ዋና፣ ግብሪ ብምንካይ፣ መንግስቲ ንሰነ-ጥበብ ዝህቦ ደገፍ ይቕንሶ። እዚ ድማ ነቲ ሰርዓት መሰል ዋና የዳክሞን ነቲ ሓለዎ መሰል ዋና ደው ዝብሎ ሃገራውን ባህላውን መንነት ኣብ ሓደጋ ዘእቱን እዩ።

ምግሃስ መሰል ዋና ምርዳእ

ናይ ሓሶት ሰራሓት፦ እዚኦም ናይ ድምጺ ወይ ቪዲዮ ዲሰክ ወይ ካሴት ብምምሰሳል ወይ ብምቕያር ዘሰራሕ ኮይኑ፣ መብዛሕትኡ ግዜ መሰሪኪኦምን ምልክት ንግድምን ብምፍሻል ወይ ብምቕያር ይሰራሕ። ኣብ ውሽጢ ዓዲ ጥራሕ ዘይኮነስ ብእንዲሰትሪ ደረጃ እውን ዝፈርዩ እዮም።

1. Bootleg: ንቅጥታዊ ምርኢታት ወይ ፈነወታት ብዘይሕጋዊ መገዲ ምቕራጽን ምዝርጋሕን ።
2. ምጥሓስ መሰል ዋና፦ ምጥሓስ መሰል ቅዳሕ ማለት ነቲ መበቆላዊ ሰራሕ ዘይውክል ብኢድ ዝተጸሕፈ፣ ትሑት ጽፈት ዘለዎ፣ ፍቓድ ዘይብሉ ቅዳሓት ምጥቃም እዩ። ሕጂ ተጠቀምቲ ጽፈት ዘለዎ ሰራሕ ይደልዩ ስለዘለዉ ተደላይነቶም ኣዘዩ ነክዩ።
3. “ጥሕሰት” ዝብል ቃል ንኹሉ ዓይነት ግህሰት መሰላት ዘጠቓልል እዩ። እዚኦም ድማ ምትላል፣ ቡትለገንግን ምምንዛዕ ይርከብዎም። ኣብዚ መዳይ ኣዘዮም ዝተሃሰዩ ዓውድታት ድምጺ፣ ቪዲዮ፣ ፕሮግራማት ኮምፒተር፣ ፈነወ፣ መጽሓፍቲ እዮም።

ምትግባር መሰላት

ብዘይካ እቲ ናይ መወዳእታ (W) እዞም ዝሰዕቡ ድንጋገታት ምክባር መሰላት ኣብ ሕግታት መሰል ቅዳሕ ኢትዮጵያ ተካተቶም ኣለው።

1. ግዚያዊ ሰጉምትታት፦ ብመሰረት እዚ ድንጋገ እዚ ቤት ፍርዲ ብሰንኪ ምትላል ዝፍጠሩ ጥሕሰታት ንምክልኻል ክሕገዝ እዩ። ብፍላይ ድማ ኣቕሑት ናብ ዕዳጋ ከይኣትው ብምክልኻል፣ እንተላይ እቶም ድር ካብ ጉምሩክ ፅሬት ሓሊፎም ካብ ወፃኢ ዝኣትዉ ዘለዉ ሓዊሱ፣ ከምኡ እውን ኣድላዪ መዝገብ ብምሓዝ።
2. ሲቪላዊ መፍትሒታት፦ ብመሰረት እዚ ኣዋጅ ኣብ ዝለዓሉ ሲቪላዊ ጉዳያት፣ ስልጣን ዘለዎ ቤት ፍርዲ፣ ነቲ መሰል ዘለዎ ሰብ፣ ንዝወረደ ወጻኢታት ሓዊሱ፣ ንዝበጽሑ ገዋታዊ ወይ ሞራላዊ ጉድኣት እኹል ካሕሳ ክክፍል፣ ግዚያዊ ትእዛዝ ክህብ፣ ኣድላዪ እንተኾይኑ ድማ ካልእ ኣድላዪ ኮይኑ ዝበሎ ትእዛዝ ክህብ ይእዘዝ። ወናኒ መሰል ዋና ብሰንኪ እቲ ምጥሓስ ንዝፍጠር ዝኾነ ዘይፍትሓዊ ምህብታም ካሕሳ ወይ ካሕሳ ክሓትት ይክእል። መጠን ካሕሳ ገዋታዊ ዕንወት ብወናኒ መሰል ዋና ዝወረደ ፋይናንሳዊ ክሳራን ካብቲ ምጥሓስ ዝረኽቦ ፋይናንሳዊ መክሰብን ኣብ ግምት ብምእታው ይውሰን። እቲ ዝተሓተ መጠን ካሕሳ ሞራላዊ ጉድኣት ብር 100,000 (ሓደ ሚእቲ ሺሕ ብር) ይኸውን። እቲ ጥሕሰት ዝፈፀመ ሰብ ነቲ ተግባር ዘይፈልጥ እንተኾይኑ ቤት ፍርዲ እቲ ካሕሳ ካብቲ ተግባር ዝረኽቦ መክሰብ ጥራሕ ከምዝኸውን ክውሰን ይክእል እዩ። እቲ ዋና ካልእ እንተዘይሓተቱ፣ ዝጥሕሱ ፓኬጃትን ቅዳሓትን ካብ ንግዳዊ ኣጠቓቕማ ክወጹ፣ ክእለዩን ክጠፍኡን እዮም።
3. ሰጉምትታት ደብ፦ በዓል መዚ ጉምሩክ ብወናኒ መሰል ዋና ወይ ተዛማዲ መሰል ምስ ዝሓትት፣ ኣመልካቲ ዝጥሕስ እዩ ኢሉ ዝኣመነሉ ኣቕሑት ክሕዝ ኣለዎ። ሓላፊ ጉምሩክ ነቲ ኣቕሑ ከምዝተታሕዘ ብቕልጡፍ ንኣመልካቲ የፍልጥ። ኣመልካቲ እቲ ንብረት ከምዝተሓዘ ካብ ዝሕበረሉ ዕለት ጀሚሩ ኣብ ውሽጢ 10 መዓልቲ ዝምልከቶ ሕጋዊ መርትዖ እንተዘይሂቡ እቲ ንብረት ንምሓዝ ዝተወሰደ ሕጋዊ ሰጉምቲ ይለዓል። እቲ ኣመልካቲ ብሰንኪ ምውናን እቲ ኣቕሑ ንዝበፀሐ ዝኾነ ይኹን ጉድኣት ተሓታቲ ይኸውን። ኮሚሽን ጉምሩክ ብትእዛዝ ቤት ፍርዲ መሰረት መሰላቱ ዝጥሕሱ ኣቕሑት ክሕዝ ይክእል እዩ።

- 4. ገበናዊ መቐጸዕቲ፡- ኣብ ገበናዊ ሕጊ ካብዚ ዝኸበደ መቐጸዕቲ እንተዘይተቐረጸ፡ ኮነ ኢሉ ቦቲ ኣዋጅ ዝሕሎ መሰላት ዝጥሕሰ ሰብ ካብ 5 ዓመት ዘይውሕድ ካብ 10 ዓመት ዘይበዘሕ ግዜ ብጽኑዕ ማእሰርቲ ይቐጸዕ። እቲ መቐጸዕቲ፡ ነቲ ገበን ንምፍጻም ዝተጠቐመሉ ኣቐሑት፡ መሳርሒታትን ምጥሓስ ንብረትን ምምንዛዕ፡ ምምንዛዕን ምዕናውን ዘጠቓልል እዩ።
- 5. ተግባራት፡- ሰጉምትታት ሓለዎ መሰላት ብቴክኖሎጂ ዝተሓለዉ ንብረታት (TPMs) ምጥሓስ የጠቓልል። እዚ ድማ ዘይሕጋዊ ምቕዳሕ ወይ ምምንዛዕ ዲጂታላዊ ሰርሓት ንምክልኻል ዝውሰድ ሰጉምት እዩ። ነዘም መሰላት ንምግሃስ ክውዕሉ ዝኽእሉ መሳርሒታት ምፍራይ ወይ ምዘርጋሕ ይኽልክል። ብተወሳኺ ኣብ ኤሌክትሮኒካዊ ሓበሬታ ምሕደራ መሰላት ምቕያር ወይ ምእላይ ይኽልክል።

እዚ ናይ መወዳእታ ፍታሕ (ሀ) ኣብ ኣዋጅ ሕጋዊ ኣፍልጦን ምክልኻልን መሰል ቅዳሕን ተዛመድቲ መሰላትን ኢትዮጵያ ኣይተካተተን። ስርዓትና ብዛዕባ ሰጉምትታት ሓለዎ ቴክኖሎጂ (TPMs) ዝምልከት ሕጊ ዘየጠቓልል እኳ እንተኾነ፡ ኣህጉራዊ ኣስራርሓታት ግን ወገንቲ መሰላት ነዘም ሰጉምትታት ባዕሎም ክተግብርዎም የተባብዑ፡ ክሳብ ካብ ዘይሕጋዊ ምቕዳሕ ዝግበር መከላኸሊታት ዘጠቓልል ኣዋጅ ዝወጽእ።

ክሲ

- መሰል ዋናን ተዛመድቲ መሰላቶምን ዝተጋህሰ ሰባት ወይ ወገንቲ መሰላት ነዘም ዝሰዕቡ ኣገባባት ክኸተሉ ይኽእሉ፤
- ዓይነት ጥሕስት ምልላይ፡- ካልእ ሰነዳት ወይ ዝጭበጥ መርትዖታት ምእካብ ነቲ ስራሕ ዘይሕጋዊ ምቕዳሕ፣ ምዘርጋሕ ወይ ካልእ ዘይፍቓድ ንረብሓኡም ምጥቃዎም ዘርጋግጽ።
- ክሲ ምቕራብ፡- ኣብ ቤት ፍርዲ ወይ ሰሩዕ ቤት ፍርዲ ንጉዳያት ኣእምሮኣዊ ንብረት ዝምልከት ክሲ ምቕራብ፡- ብመሰረት ኣዋጅ ቁፅሪ 872/2014 ዝተጣየሸ ቤት ፍርዲ ንብረት ኣእምሮ፣ ንሲቪላዊ ጉዳያት ኣእምሮኣዊ ንብረት ብቐዕን ፍሉይን ኣተሓሕዛ ዝካየደሉ መድረኽ እዩ። ይኹን እምበር ካብቲ ሰምዖዕ ወፃኢ ንዘለዉ ጉዳያት ኣይምልከትን። ኣብ ክንድኡስ፡ ሰሩዓት ኣብያተ ፍርዲ ምስ መሰል ቅዳሕ ዝተኣሳሰር ጉዳያት ስልጣን ኣለዎን።
- ኣየናይ ቤት ፍርዲ እዩ ዝሓሸ? መሰል ዋናን ተዛመድቲ መሰላትን ዝምልከት ኣዋጅት ከም ካልኣት መሰላት ኣእምሮኣዊ ንብረት ኣብ ትሕቲ ሕግታት ፌደራል ይወድቁ። ኣብያተ ፍርዲ ፌደራል ኣብ ልዕሊ ሕግታት ፌደራል ስልጣን ኣለዎን።

ብመሰረት ኣዋጅ ፌደራል ኣብያተ ፍርዲ ቁፅሪ 1234/2021 ዓንቀፅ 5(መ) ኣብያተ ፍርዲ ፌደራል ኣብ ልዕሊ ፈጠራዊ፣ ስነ-ፅሑፋውን ስነ-ጥበባውን መሰል ዋናን ተዛመድቲ መሰላትን ዝምልከቱ ሲቪላዊ ጉዳያት ስልጣን ኣለዎን።

- ቀዳማይ ብርኪ ቤት ፍርዲ ፌደራል፡- ካብ 500 ሸሕ ብር ዘይበዘሑ ሲቪል ጉዳያት ወይ ድማ መጠን ገንዘብ ክውሰን ዘይክእል ጉዳያት ይከታተል።
- ላዕላዊ ቤት ፍርዲ ፌደራል፡ ልዕሊ 500 ሸሕ ብር ዝግመት ገንዘብ ዘጠቓልል ሲቪላዊ ጉዳያት ይከታተል።

ከምኡውን ጉዳይ ምግሃስ መሰል ዋና ትሕቲ 500 ሸሕ ብር ዝሓትት እንተኾይኑ ኣብ ቀዳማይ ብርኪ ቤት ፍርዲ ፌደራል ይረከብ። እቲ ጠለብ ካብዚ መጠን ንላዕሊ እንተኾይኑ ላዕላዊ ቤት ፍርዲ ፌደራል ስልጣን ክህልዎ እዩ።

ገበናዊ ጉዳያት፡- ቀዳማይ ብርኪ ቤት ፍርዲ ፌደራል ብመሰረት ሕጊ መሰል ቅዳሕን ተዛመድቲ መሰላትን ኣብ ግዜያዊ ሰጉምትታት ገበናዊ ጉዳያት ናይ ምስማዕ ስልጣን ኣለዎ። ይኹን እምበር እቲ ጥሕስት ብፍላይ ከቢድ ወይ ሰፊሕ ትርጉም ዘለዎ እንተኾይኑ ላዕላዊ ቤት ፍርዲ ፌደራል ስልጣን ክወሰድ ይኽእል እዩ።

ብደረጃ ክልል ካብ ፌደራል ዳይና ቤት ፍርዲ ጉዳያት ዝውክሉ ላዕላዎት ኣብያተ ፍርዲ ክልል ምዃንን እውን ምፍላጥ ኣገዳሲ እዩ።

4. ሓባራዊ ምሕደራ መሰል ዋናን ተዛመድቲ መሰላትን።

4.1. ቀንዲ ዕማማት እቲ ሓባራዊ ምህደራ

- መብዛሕትኡ ግዜ መሰላት ብውልቁ ምምራሕ ዝካእል ኣይኮነን። ናይ ሓባር ምሕደራ ትካላት መሰል ዋና ዘለዎም ሰርሓት ፍቓድ ምሃብ ይሕግዙ። ከምኡውን ንወገንቲ መሰል ዋና ወኪሎም ንዘፍጸም ምጥሓስ ይከታተሉ።
- ወገንቲ መሰል ዋና ንዝሰርሕዎ ሰራሕ ርትዓዊ ካሕሳ ክረኽቡ ይግባእ። ትካላት መሰል ዋናን ተዛመድቲ መሰላትን ካብ ፈጠራዊ ሰርሓት ርያልቲ ይእክባን ብፍትሓዊ መንገዲ ይዘርግሓን፣ መኽሰብ ከይረኽባ።
- ወገንቲ መሰል ዋናን ተዛመድቲ መሰላትን ከም ኣባላት ኣብ መሰል ዋናን ተዛመድቲ ሓባራዊ ምምሕዳራትን ክጽንበሩ ይኽእሉ።
- ናብ ሓባራዊ ምሕደራ ክጽንበሩ ከለዉ ሰርሓም የሰፋሕፍሑን ምስ ናይ ከባቢ ኣባላት ብሓባር ሰርሓም ከቐርቡ ይኽእሉ። እዚ ድማ ሰርሓም ኣብ ወጻኢ ሃገራት ምስ ሓቐኛታት ፈጠርቲ ወገንቲ ብዓላም ደረጃ ንክቐርቡ ቦሪ ይኽፍት።

4.2. ሰባት ኣብ ዘለዎ ቦታ

- ናይ ሓባር ምሕደራ ትካላት እዘም ዝሰዕቡ መሰላት ኣለዎም፤
- ሰርሓም ኣብ መድረኽ ንህዝቢ ናይ ምቕራብ መሰል (ሙዚቃዊ ሰርሓቶም ኣብ ዝተፈላለየ መድረኻት ንሓድ ተዓዛቢ ናይ ምቕራብ)
- መሰል ፈነወ (ኣብ ፊደሎን ተለቪዥንን ምቕራድን ቀጥታዊ ፈነወን)
- ሰርሓቶም ብዲጂታል (ብቢዲ፣ ቴፕ ወዘተ) ናይ ምብዛሕን ምዘርጋሕን መሰል
- ድራማዊ ሰርሓት ኣብ መድረኽ ናይ ምቕራብ መሰል (ንተዓዛቢ ኣብ መድረኽ ናይ ምቕራብ)
- መሰል ምብዛሕ (ስነ-ጽሑፋውን ሙዚቃውን ሰርሓት ናይ ምሕታም መሰል) ተዛመድቲ መሰላት (ንተዋሳኢቲ፣ ፈነወኛታትን ኣፍሪይቲ ፎኖግራምን ወይ ርክብ ህዝቢ ክፍሊት ምርግጋፅ)

5. ቀንዲ ስራሕቲን ስልጣንን በዓል መዚ ኣእምሮኣዊ ንብረት ኢትዮጵያ ኣብ ዓውዲ መሰል ዋና

ብሓፈሻ በዓል መዚ ኣእምሮኣዊ ንብረት ኢትዮጵያ ንፖሊሲ መሰል ዋና፣ ሕግን ኣፈፃፀም ኣገባባትን ይከታተል። ብተወሳኺ ብስነኪ ዕብየት ፈጠራዊ ኢንዱስትሪ በዳሂ ዝኾነ እናዓበየ ዝኾነይድ ዘሎ ጠለብ ምዝገባ መሰል ዋና መሰረት ብምግባር ስርዓታት ምዝገባ የመሓድር። እቲ በዓል መዚ ኣብ ምምሕዳር ሓባራዊ መሰላት መሰረት ነዞም ዝሰዕቡ ስራሕቲ ይፍፀም፤

5.1. ስርዓት ቁፅፅር

- ብመሰረት ዝምልከቶ ሕጊ ናይ ሓባራዊ ምሕደራ ትካላት (CMOs) ኣፍልጦ ምሃብን ፍቓድ ምሃብን።
- ሕጋዊ ምክባር ምርግጋፅ፣ እዚ ድማ ምርግጋፅ ሰናይ ምሕደራ፣ ፍትሓዊ ምክፍፋል ርያልቲን ግሉፅ ፋይናንሳዊ ፀብፃብን ሓዊሱ።
- እቲ ሓባራዊ ምምሕዳር ነቲ ዝሃቦ በዓል መዚ ሕጋዊ ኣሰራርሓ ክጥሕስን ምስ መሰልን ረብሓን ኣባላቱ ዝጸረር ተግባር ምስ ዝፍጽም።

5.2. መሰል ፈጠራዊ ወነንቲ ምሕላው

- ሓባራዊ ኣመራርሓ ናይ ርያልቲ ጥቕሚ ብግቡእ ከም ዝእክብን ከም ዘዕድልን ምርግጋጽ።
- ኣድላዪ ኣብ ዝኾነሉ እዋን ኣብ መንጎ ሓባራዊ ምምሕዳርን ተጠቀምቲን ኣብ ዝፍጠር ግርጭታት ምሽምጋል።

5.3. ንተጠቀምቲ ምሕጋዝ (ንኣብነት ፈነወኛታት፣ ኣዳለውቲ ፍጻመታት)

- ፍትሓዊ፣ ደረጃ ዝሓለወን ንኹሎም ወነንቲ መሰላት ዝበጽሕን ናይ ሓባር ምሕደራ ፍቓድ ንምምዕባል ምድጋፍን ምትብባዕን።
- ኣብ መንጎ ሓባራዊ ኣመራርሓን ፈጠራዊ ወነንቲን ብዛዕባ ክፍሊት፣ ሰፍሓት መሰላቶም፣ ወይ ዘይፍትሓዊ ፍቓድ ኣብ ዝፍጠር ክርክር ሽምግልና ምግባር።
- ኣብ ሓባራዊ ምሕደራ ወይ ፈጠራዊ ስራሕ ተጠቀምቲ ተወዳዳሪ ዘይኮነ ኣገባብ ክህሉ ከሎ ምቁጽጻር

5.4. ድሉታት ዓውዲ ፈጠራ ምምላእ

- ብጎሰንጎሳት ኣቢልካ ብዛዕባ መሰል ቅዳሕን ተዛመድቲ መሰላትን ኣብ ህዝቢ ንቕሓት ምፍጣር
- መሰል ፈጠራዊ ወነንቲ ብምክባር ዝተሓለዉ ስራሕቲ ፍትሓዊ ኣጠቓቕማ ምትብባዕ።
- ንዕብየት ፈጠራዊ ኢንዱስትሪ፣ ምክልኻል ዲጂታላዊ መሰላትን ኣህጉራዊ ምትሕብባርን ምቕኢ ሃዋህው ምፍጣር።

5.5. ግልፅነትን ተሓታትነትን

- እቲ ናይ ሓባር ትካል ፋይናንሳዊ ኦዲትን ናይ ምክፍፋል መደባትን ሓዊሱ ሰሩዕ ፀብፃብ ከቕርብ ምሕታት።
- ከም ታሪፍ፣ ፖሊሲታትን ኣገባባት ፍቓድን ዝኣመሰሉ ቁልፊ ሓበሬታታት ብቐሊሉ ንህዝቢ ክበጽሑ ምግባር።
- ምስ ሓባራዊ ምሕደራ ዲሞክራሲያዊ ምሕደራ ምምሰራት (ንኣብነት ኣባላት ኣብ ውሳኔ ምሃብ)።

6. መጠቓለሊ

ግደ በዓል መዚ ኣእምሮኣዊ ንብረት ኣብ መንጎ ወነንቲ መሰላት፣ ተጠቀምቲን መሰላት ህዝብን ሚዛን ምሕላው፣ ኣብ ሓባራዊ ስርዓት ምሕደራ እውን ምትእምማን ምርግጋፅ እዩ። እዚ ድማ ዘላቂ ፈጠራዊ ቁጠባ ንምምዕባልን ወነንቲ መሰል ዋና ንዝሰርሕዎ ስራሕ ርትዓዊ ካሕሳ ንክረኽቡን ዝሕግዝ እዩ። ተጠቀምቲ ንትሕዝቶኦምን ብሓፈሻ ካብቲ ባህሊ ዝረኽቦ ረብሓን ፍቓድ ክረኽቡ ይኽእሉ።

መመላእታታት

አብ ኣዋጅ ቁጽሪ 410/2004 ዝተመርኮሰ ንዓኻ ዝምጥን ናይ መሰል ቅዳሕ ፍቓድ ሰምምዕ ቅጥዒ፣ ፍሉይትን ዘይፍሉይትን ኣማራጺታት የጠቓልል

ሰምምዕ ፍቓድ መሰል ዋና

እዚ ሰምምዕ እዚ ኣብዛ _____ መዓልቲ _____ ፣ 20፣ ብን ኣብ መንጎን ይግበር፤

ፍቓድ ዝሃበ፤

ምሉእ ስም: _____

እድራሻ፣ _____

መለለዪ መንነት/ኩባንያ _____

(ካብዚ ንደሓር “ፍቓድ ዝህብ” ተባሂሉ ይጽዋዕ)

እና

ወሃቢ ፍቓድ፤

ምሉእ ስም: _____

እድራሻ፣ _____

መለለዪ መንነት/ኩባንያ _____

(ካብዚ ንደሓር “ወሃቢ ፍቓድ” ተባሂሉ ይጽዋዕ)

1. ፍቓድ ምሃብ

እቲ ፍቓድ ዝሃበ ሰብ በዚ መንገዲ እዚ ንወሃቢ ፍቓድ ከምዚ ዝሰዕብ ይህቦ፤

ፍሉይ ፍቓድ

ፍሉይ ዘይኮነ ፍቓድ

(ኣብ ሓደ ምልክት ግበር)

ነዚ ዝሰዕብ መሰል ዋና ዘለዎ ሰራሕ (እቲ “ሰራሕ”) ንምጥቃም፤

• ኣርእስቲ ሰራሕ: _____

• ዓይነት ሰራሕ: [ንኣብነት: መጽሓፍ: ፊልም: ሶፍትዌር: ደርፊ]::

• ቁጽሪ ምዝገባ (እንተሃልዩ):- _____

• ዕለት _____

2. ሰፍሓት ናይቲ ፍቓድ

እቲ ፍቓድ ነዞም ዝሰዕቡ መሰላት ዘጠቓልል እዩ (ተግባራዊ ምኪኑ ምልክት ግበር)፤

ምብዛሕ

ምክፍፋል

ህዝባዊ ምርኣት ወይ ምርኣት

ምምሕያሽ ወይ ትርጉም

ዲጂታላዊ ምትሕልላፍ ወይ ብኢንተርኔት ምስታም

ካልእ: _____

ቦታ: [ንኣብነት: ኢትዮጵያ ጥራይ: ኣፍሪቃ: ብዓለምለኽ ብርኪ]::

ዕድመ (ዘጸንሐሉ ግዜ): [ንኣብነት: 5 ዓመት: ንሓዋሩ]::

ቋንቋ(ታት):- [ንኣብነት ኣምሓርኛ: እንግሊዝኛ: ኩሎም ቋንቋታት]::

3. ካሕሳ

ከም ቆላሕታ ናይቲ ፍቓድ: ወሃቢ ፍቓድ ነቲ ፍቓድ ዝሃበ ክኸፍሎ ይሰማማዕ፤

መጠን ገንዘብ: ብር _____ (ወይ % ርያልቲ: _____%)

ውዕላት ክፍሊት: [ንኣብነት: ብሓደ ግዜ: ርብዓ ዓመት: ዓመታዊ]::

ጸብጻብ ዘድልዮም ነገራት (ርያልቲ እንተኾይኑ): [ንኣብነት ዓመታዊ ጸብጻባት ኣጠቓቕማ]::

4. ዋንነትን ሞራላዊ መሰላትን፡፡

- ፍቓድ ዝሃበ ሰብ ዋንነት ናይቲ መሰል ዋና ይዕቅብ፡፡
- ፍቓድ ዝሃበ ሰብ ብመሰረት ሕገ ኢትዮጵያ ሞራላዊ መሰላት ይዕቅብ፣ እዚ እም ድማ፤
 - ደራሲ ምኪኑ ናይ ምልላይ መሰል፡፡
 - ነቲ ሰራሕ ምዝገባ ወይ ንዕቅቡ ዝመልኦ ኣተሓሕዛ ናይ ምቅዋም መሰል፡፡

5. ገደባት

እቲ ወሃቢ ፍቓድ፤

- ብዘይ ናይ ጽሑፍ ፍቓድ ነቲ ሰራሕ ንኡስ ፍቓድ ምሃብ፡፡
- ነቲ ሰራሕ ምቕያር (ብግልጺ ፍቓድ እንተዘይተዋሂብዎ)፡፡
- ዋንነት ናይቲ ሰራሕ ምስታት፡፡

6. ምቁራጽ ሰራሕ

እዚ ሰምምዕ ክቋረጽ ይኸእል እዩ፤

- ብኸልቲኡ ወገን ብናይ ___ መዓልታት ናይ ጽሑፍ ማመልከቻ ተቐሪቡ
- ንዋታዊ ጥሕሰት እንድሕር ተፈጻሙ
- ናይ ፍቓድ ግዜኡ ምስተወድኦ

ምስ ተቋረጸ፣ ወሃቢ ፍቓድ ኩሉ ኣጠቓቕማ ናይቲ ሰራሕ ክቋርጽን ንኹሉ ቅዳሓት ክመልሰን ወይ ከጥፍእን ኣለዎ፡ ብኸልእ መንገዲ እንተዘይተሰማሚዑ።

7. ኣመሓዳሪ ሕገ

እዚ ሰምምዕነት ብኣዋጅ ቁጽሪ 410/2004 ሓዊሱ ብሕግታት ፈደራላዊት ዲሞክራሲያዊት ሪፓብሊክ ኢትዮጵያ ዝምራሕ እዩ።

8. ምሉእ ሰምምዕ

እዚ ሰምምዕ እዚ ንብምሉኡ ሰምምዕ ኣብ መንጎ ክልቲኦም ወገናት ዝውክል ኮይኑ ንኹሉ ቅድሚ ሕጂ ዝነበረ ምርድዳእ ዝትክእ እዩ።

9. ፊርማ

ፍቓድ ዝሃበ፤

ሽም፡ _____

ፊርማ፡ _____

ዕለት፡ _____

ወሃቢ ፍቓድ፤

ሽም፡ _____

ፊርማ፡ _____

ዕለት፡ _____

ኣብ ኣዋጅ ቁፅሪ 410/2004 ወይ ድማ ኣብ ምምሕያሽ ኣዋጅ ቁፅሪ 872/2014 ዝተመሰረተ ንዓኻ ዝምጥን ናይ መሰል ቅዳሕ ምደባ ሰምምዕነት ቅጥዒ

ሰምምዕ ምምዲብ መሰል ቅዳሕ

እዚ ሰምምዕ እዚ ኣብዛ ___ መዓልቲ _____ ፣ 20፣ ብን ኣብ መንጎን ይግበር፤

ምምዲብ፡ _____

ምሉእ ስም፡ _____

እድራሻ፡ _____

ቁጽሪ መንገት፡ _____

(ካብዚ ንደሓር “ኣሳይነር” ተባሂሉ ይጽዋዕ)

እና

ዝተመደበ፤

ምሉእ ስም፡ _____

እድራሻ፡ _____

ቁጽሪ መንገት፡ _____

(ካብዚ ንደሓር “ተመሓዳሪ” ተባሂሉ ይጽዋዕ)

1. ምምዲብ መሰል ቅዳሕ

እቲ ኣመሓዳሪ በዚ ኣገባብ እዚ ብዘይምላሰ ንኹሉ መሰላት፡ ርእሰ-ማልን ተገዳሰነትን ኣብዚ ዝሰዕብ መሰል ቅዳሕ ዘለዎ ሰራሕ (እቲ “ሰራሕ”) ንመሃዚ ይምድቦ፡ የሰጋግርን የመሓላልፎን፤

ኣርእስቲ ናይቲ ሰራሕ፡ _____

- ዓይነት ሰራሕ፡ [ንኣብነት፡ ሰነ-ጽሑፍ፣ ሙዚቃዊ፣ ድምጽን ሰእላዊን፣ ሶፍትዌር ወዘተ]።
- ዕለት ምፍጣር፡ _____
- ዝተሓትመ/ዘይተሓትመ፡ _____
- ቁጽሪ ምዝገባ (እንተሃልዩ)፡- _____

እዚ ምደባ እዚ፤

- ነቲ ሰራሕ ናይ ምብዛሕ፡ ምዘርጋሕ፡ ምፍጻም፡ ምርኣይ፡ ምትዕርራይን ምትርጓምን መሰል።
- መሰል ፍቓድ ምሃብ፣ ምትሕልላፍን ምትግባርን መሰል ቅዳሕ።
- ኩሉ መሰላት ንሙሉእ ንውሓት ግዜ ሓለዋ መሰል ቅዳሕ፣ ኣብ ኢትዮጵያን ኣብ መላእ ዓለምን።

2. ክሕሰበሉ ዝግባእ

ነዚ መሰል ንምቕባል፣ እቲ መሰል ዝቕበል ሰብ፡ ነቲ መሰሉ ዘሰጋገረ ሰብ ብር _____ (ወይ ብኻልእ መንገዲ ዘተሰማምዓሉ) ክኸፍሎ ይስማማዕ። ነቲ ክፍሊት ከምዘተቐበለ ድማ ይኣምን።

3. ዋሕሰን ውክልናን

- እቲ ኣሰናደር ከምዚ ዘሰዕብ ይውክልን የረጋግጽን፤
- ንሳቶም ብሕታዊ ወናኒን ደራሰን ናይቲ ሰራሕ እዮም።
 - እቲ ሰራሕ ኦርጅናል ኮይኑ ንዘኾነ ናይ ሳልሳይ ወገን መሰል ዝጥሕስ ኣይኮነን።
 - መሰል ቅዳሕ ካብ ዘኾነ ይኹን ጸር ወይ ቅድሚ ሕጂ ዘተዋህሦ ምድብ ነጻ እዩ።

4. ሞራላዊ መሰላት

- እቲ መሰሉ ንኻልኣት ዘማሓላልፍ ሰብ ብመሰረት ሕገ ኢትዮጵያ፣ ሞራላዊ መሰላት ከምዘይማሓላለፉ ይፈልጥ። እዞም ዝሰዕቡ መሰላቱ ድማ ይዕቅቡ፤
- ናይቲ ሰራሕ ደራሲ ምኃኑ ክፍለጠሉ
 - ንክብሩ ወይ ንሽሙ ዝጎድእ ዘኾነ ይኹን ናይ ሰራሕ ምዘባዕ፣ ሰርሑ ተቐሪጹ እንትቐርብ ወይ ካልኣት ከማሓይሽዎ እንተለው ምቅዋም ይክእል።

5. ተወሳኺ መድሕን ምግባር

እቲ ኣመሓዳሪ ዘኾነ ተወሳኺ ሰነዳት ንምፍጻምን ምስቲ መሰል ዝወሰድ ሰብ ብምትሕብባርን ኣብዚ ዝተመደበ መሰላት ምሉእ ብምሉእ ንምትግባር ወይ ንምምዘጋብ የክእል።

6. ኣመሓዳሪ ሕገ

እዚ ሰምምዕነት ብሕግታት ፈደራላዊት ዲሞክራሲያዊት ሪፓብሊክ ኢትዮጵያ ብፍላይ ድማ ብኣዋጅ ቁፅሪ 410/2004ን ኢትዮጵያ ኣባል ዘኾነትሎም ዝምልከቶም ኣህጉራዊ ውሳኔትን ዝምራሕ እዩ።

7. ምሉእ ሰምምዕ

እዚ ሰምምዕ እዚ ንኹሉ እቲ ኣብ መንጎ ክልተ ወገናት ዘሎ ምርድዳእ ዝውክል ኮይኑ ንዘኾነ ቅድሚ ሕጂ ዘተገብረ ሰምምዕት ወይ ምርድዳእ ዘትክእ እዩ።

ክታም _____

ውዕል ዋሃቢ፡ _____

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Copyright and Neighboring Rights Toolkit – Ethiopia

A Practical Guide for Creators, Users, and Institutions

ADDIS ABABA, ETHIOPIA

APRIL 24, 2024

SELAM
Ethiopia



Copyright and Neighboring Right Toolkit for Creative Works in Ethiopia

ADDIS ABABA, ETHIOPIA
APRIL 24, 2024

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Introduction

In today's knowledge-driven society, intellectual property (IP) plays a pivotal role in encouraging innovation, creativity, and economic development. As creators, innovators, educators, and users of creative works become more engaged in producing and sharing content, understanding the legal frameworks that protect these rights is more important than ever.

This toolkit is designed as a **practical and accessible resource** for individuals and institutions seeking to navigate the field of intellectual property with a **special focus on Ethiopian copyright law**. It aims to demystify key IP concepts, explain the rights and responsibilities of creators and users, and outline the procedures and protections available under Ethiopian legal system.

The toolkit covers various IP areas but focuses mainly on copyright and neighboring rights with the view to encourage creativity, education, and digital media.

No matter what background you may have, this toolkit is designed to support you to:

- Understand what copyright protects and how long it lasts
- Learn your rights as a creator or user
- Recognize lawful uses of copyrighted materials
- Navigate exceptions and limitations under Ethiopian law
- Engage with enforcement and dispute resolution processes

By equipping you with foundational knowledge and practical guidance, this toolkit aims to empower more informed and confident engagement with intellectual property in Ethiopia promoting creation, protection, access, innovation and fairness.



1. Intellectual Property Rights in Ethiopia

- 1.1. Intellectual property (IP) refers to creations of the mind.
- 1.2. Intellectual property aims at safeguarding creators and other producers of intellectual goods by granting them certain time-limited rights to control the use made of those productions.
- 1.3. Intellectual property is divided into two branches, **Industrial property** and **Copyright**.
- 1.4. Industrial property includes inventions, industrial design, trademarks, service marks, commercial names and designations, including indications of source and appellations of origin, and protection against unfair competition;
- 1.5. Literary, artistic and scientific works and performances of performing artists, sound recordings and broadcasts, usually called neighboring rights or rights related to copyright belong to the copyright branch of intellectual property.

Disclaimer:

This toolkit helps right holders understand, protect, and manage their creative rights. However, it is not a substitute for the law, and users should consult official legislation or legal advice when needed.



15+5
Years

2. Definitions of Patents, Trademarks, Copyright,

We start by defining just some common aspects of patents, utility models, industrial design and trademarks and later will take copyright in depth.

- 2.1. **Patent** is a legal document granted to protect inventions.
- 2.2. Invention is an idea of an inventor which permits in practice the solution to a specific problem in the field of technology.
- 2.3. The term of protection is fifteen years for an initial period with a possible five years extension of the protection for good.
- 2.4. **Utility Model** is sometimes called a “petty patent” and offers protection for **technical inventions** that may not meet the full requirements of a standard patent (especially in terms of inventive step). Though utility models offer **shorter protection**, often 5–10 years, they are **valuable tools** to protect devices or useful products with small improvements or with a short commercial life and encourage innovation, especially for **small inventors, startups, and resource-limited creators**.
- 2.5. **Industrial design Patent** is the right granted, pursuant to a registration system, to protect the original ornamental and non-functional features of an industrial article or product that result from design activity.



Protection
15+5
Years



Renewable
7
Years

- 2.6. Ethiopia is extremely rich in traditional art and folklore which stimulates creations of local craftsmanship. These creations usually fall within the ambit of the term “industrial designs.” Recognition and material benefits for the creator of an industrial design, is an effective system of protection stimulating creative activity.
- 2.7. The term of protection for an industrial design right goes from 5 to 15 years, often divided into terms requiring the proprietor to renew the registration in order to obtain an extension of the term of protection.
- 2.8. **Trademarks** are visible signs capable of distinguishing goods or services of persons like words, designs, letters, numerals, colors or the shape of goods or their packaging or the combinations thereof;
- 2.9. **A trademark**, in order to serve its purpose, it must be distinctive.
- 2.10. The trademark registration is renewable end of every 7 years.
- 2.11. After introducing these common industrial property tools, the next part of the toolkit focuses on **copyright law in Ethiopia**. Copyright is a property right which subsists in the various works listed in the copyright and related right proclamation. It deals with the rights of intellectual creators in their creation.

3. Principles of Copyright Protection

3.1. Requirements for Protection

An author automatically receives copyright protection upon the creation of a work, **regardless of its quality or purpose**, provided that the work:

- is **original**;
- is **fixed** in a tangible form (i.e., recorded in a way that it can be perceived, reproduced, or communicated);
- has a **sufficient connection to Ethiopia** as defined in **Article 3 of Proclamation No. 410/2004**; and
- For a work to qualify for copyright protection in Ethiopia, it must meet certain connecting criteria set out in the Proclamation that include connection by authorship, first publication and place of transmission.

3.2. Eligible Subject Matter

The eligible subject matters as enumerated by the Article 2 (3) of the Proclamation, includes:

- a. Books, booklets, articles in reviews and newspaper, computer programs;
- b. Speeches, lectures, addresses, sermons, and other oral works;
- c. Dramatic, dramatico-musical works, pantomimes, choreographic works, and other works created for stage production.
- d. Musical compositions;
- e. Audiovisual works;
- f. works of architecture;
- g. Works of drawing, painting, sculpture, engraving, lithography, tapestry, and other works of fine arts;
- h. Photographic works;
- i. Illustrations, maps, plans, sketches, and three dimensional works related to geography, topography, architecture or science;
 - i. Applied art;
 - ii. Derivative works:

Translations, adaptations, arrangements and other transformations

or modifications of works and other alterations of a literary or artistic work are protected as original works without prejudice to the copyright in the original work as well as original collections like encyclopedias or databases, are protected if they show creativity in their selection or arrangement.

3.3. Works not protected and the Justifications thereof

Ideas, procedures, system, method of operation, concept, formula, numerical tables and forms of general use, principle, discovery or mere date, even if expressed, described, explained, illustrated or embodied in a work; and any official text of a legislative, administrative or of legal nature, as well as official translations thereof are not protected by the copyright proclamation. And also copyright protection doesn't extend to any physical object containing the work as indicated in the proclamation. The question is why these are not protected?

The following considerations justify their exclusion from protection:

a. Ideas vs. Expression

- i. Copyright protects the *expression* of ideas, **not the ideas themselves**.
- ii. If ideas were protected, it would limit **free thought and communication**, and others couldn't build upon them or create new works.

b. Facts and Discoveries Are Universal

- i. Things like **formulas, concepts, and discoveries** are **natural truths or shared knowledge**.
- ii. No one can "own" a discovery like gravity or a mathematical formula — they are for everyone to use and develop.

iii. Public Interest and Access: Official texts such as laws, court decisions, and government documents must be **freely accessible to the public**.

c. Functional Elements Are Not Creative Expressions: Works for practical or technical purposes, not artistic or literary ones are better suited for protection under **patents or secret law**, not copyright.

d. General Use Materials lack Originality: Things like forms, tables, and calendars are **standard tools** used in daily life, **titles, slogans;**

familiar **symbols** and **common** phrases don't generally reflect creative and lack evidence of originality needed for copyright protection.

3.4. Original Ownership of Economic Right

- a. Subject to exceptions in the proclamation, the author who created the work is the original owner of the economic rights.
- b. If a work has multiple authors, they are joint original owners of the economic rights.
- c. For a collective work, the person who initiated and directed its creation is the original owner of the rights.
- d. If a work is created under employment or commission, the employer or commissioning party is the original owner of the rights, unless otherwise agreed.
- e. For audiovisual works:
 - i. The producer owns the economic rights, but key contributors (like the scriptwriter, director, etc.) retain authorship and a right to contractual remuneration.
 - ii. Authors of works within the audiovisual piece that can be used separately keep their independent copyright.
- f. However, co-authors and authors of pre-existing works in an audiovisual work keep their rights in those contributions, as long as they can be used separately from the audiovisual work.

3.5. Economic and Moral Rights of Authors

- a. Authors have both economic and moral rights.
- b. Economic rights are those rights which help the author reap economic benefits.
- c. The author has the exclusive right to do, to authorize or to prevent others from doing the following acts:
 - i. reproduction of the work (to distribute copies of a text-based work to the public, whether in the form of printed copies or digital media such as CD-ROMs);
 - translation of the work (in languages other than the original);
 - adaptation of the work(modification of a work from one type of work to another such as a novel into a movie), arrangement or other transformation of the work;

- ii. distribution of the original or a copy of the work to the public by sale or rental;
 - importation of original or copies of the work;
 - public display of the original or a copy of the work;
 - performance of the work(for example, public readings, dramatic and musical performances before an audience);

- iii. broadcasting of the work (by radio, cable, or satellite);
 - other communication of the work to the public

- d. The right to control rental or lending generally does not apply to **computer programs** unless the **software itself is the main item** being rented. If it is just part of a device, the right holder **cannot restrict** the rental. But if the program is the **primary focus**, they **can control** its use.

For example: Renting a computer with pre-installed software is not restricted, but renting the software itself (like design or editing software) is subject to the copyright holder's control.

3.6. Resale Rights for Original Works of Art and Manuscripts (Droit de Suite)

When an **original work of art** (like a painting, sculpture, or drawing) or an **original manuscript** (such as a handwritten book or musical composition) is resold **after the first sale by the author**, the **author or their heirs** are entitled to receive a **share of the resale price**.

This right is:

- **Inalienable**, meaning it **cannot be waived or transferred** to someone else.
- **Applies only to resale** after the initial sale by the creator.
- **Intended to ensure** that creators or their heirs continue to benefit from the increasing value of their work over time.

The **exact percentage** of the resale price and the **specific conditions** under which this right applies will be **defined by future regulations** issued under the authority of the proclamation.

This concept is internationally recognized as the "**droit de suite**" (right to follow), and envisaged support to artists by allowing them a share of the economic success of their works beyond the first sale.

3.7. Moral Rights

- a. Irrespective of the ownership of the economic rights the author of the work has moral rights over his /her work.
- b. The moral rights of the author include:
 - i. to claim authorship of his work(**right of paternity**) , except where the work is included, incidentally or accidentally, in reporting current events by means of broadcasting;
 - ii. to remain anonymous or to use a pseudonym; and
 - iii. to object any distortion, mutilation or other alteration of his work(**right of integrity**), where such an act is or would be prejudicial to his honor or reputation.
 - iv. to publish his work.

3.8. Duration of economic rights

- a. The duration of the economic rights is life and fifty (50) years after the death of the author.
- b. Where the work was jointly authored, the term of fifty (50) years runs from the death of the last surviving author.
- c. The term of 50 years of a posthumous work shall runs from the date of publication of the work.
- d. Economic rights in a collective work (excluding audiovisual works) last 50 years from the latest of its creation, publication, or public release.
- e. For anonymous or pseudonymous works, economic rights last 50 years from first publication or public release.
- f. Where before the expiration of fifty (50) years the identity of the author is known, the economic rights are protected during the lifetime of the author and fifty (50) years after their death.
- g. The term of the economic rights of a photographic work is twenty-five years from the making of the work.
- h. Economic rights in an audiovisual work last 50 years from its creation or public release, whichever is later.
- i. Performance rights last until the end of the 50th year after the performance is recorded or, if not recorded, after the performance took place;
- j. Sound recording rights last 50 years from publication or, if

unpublished, 50 years from fixation;

- k. **Broadcasting organizations:** 20 years from the end of the year of the broadcast

3.9. Assignment of Copyright

- a. Economic rights may be assigned in whole or in part.
- b. Assignment of economic rights must be in writing.
- c. Only rights clearly stated in the assignment are transferred.

3.10. Scope of assignment

- a. An assignment only covers the economic rights specified in the agreement.
- b. The assignment of economic rights does not extend to the physical object containing the work.
- c. If an agreement doesn't specify a time period, the assignment of economic rights ends after 10 years.
- d. If an agreement doesn't specify how the rights may be used or exploited, the assignee may use them as reasonably needed to fulfill the parties' intended purpose.
- e. If economic rights are unused or misused to the author's harm, the author may revoke the assignment.

3.11. Licensing of Copyright

- a. A license of economic rights may be in whole or in part and must be in writing.
- b. A license of economic rights may also be exclusive or non-exclusive.
- c. An exclusive license allows the licensee to use the rights and exclude others, including the author.
- d. A non-exclusive license allows licensee use the rights alongside the author and others.
- e. Only rights clearly stated in the license is transferred

3.12. Scope of license

- a. A license only covers the economic rights specified in the agreement.

- b. Licensing of economic rights does not extend to the physical object containing the work.
- c. If an agreement doesn't specify a time period, the license of economic rights ends after 5 years.
- d. If an agreement doesn't specify how the rights may be used or exploited, the licensee may use them as reasonably needed to fulfill the parties' intended purpose.
- e. If economic rights are unused or misused to the author's harm, the author may revoke the license.

3.13. Copyright Assignment and License Agreements: Key Considerations

When drafting or customizing these agreements, consider the following:

- a. **Scope of Rights:** Clearly define what rights are being transferred or licensed (e.g., reproduction, distribution, adaptation).
- b. **Duration and Territory:** Specify the time frame and geographical area the agreement covers.
- c. **Compensation:** Outline any payment terms, including royalties or lump-sum payments.
- d. **Moral Rights:** Authors have moral rights that cannot be waived or transferred. Ensure your agreement complies with terms of the proclamation.
- e. **Governing Law:** Indicate the law or regulation your agreements comply with: Proclamation No.410/2004 or No.872/2014 coupled with the appropriate provisions of Contract law under the civil code.

3.14. Steps for Customizing a Copyright Assignment and License Agreements

- a. Identify the Parties Involved
 - Assignor/Licensor: The original owner of the copyright.
 - Assignee/Licensee: The individual or entity receiving the rights.
 - Include full legal names and contact information for both parties.
- b. Describe the Work

- i. Clearly specify the work subject to the agreement. This includes:
 - Title of the work.
 - Type of work (e.g., literary, musical, artistic).
 - Date of creation.
 - Registration number, if applicable.
- ii. Attach samples or references to the work as necessary.
- c. Define the Scope of Rights
 - i. **For Assignments:** Specify that all rights are being transferred.
 - ii. **For Licenses:** Detail the specific rights granted, such as:
 - Reproduction rights.
 - Distribution rights.
 - Public performance rights.
 - Adaptation rights.
 - iii. Indicate whether the license is exclusive or non-exclusive.
- d. Set the Duration and Territory
 - i. **Duration:** Define the time frame of the agreement (e.g., 5 years, perpetual).
 - ii. **Territory:** Specify the geographical area where the rights apply (e.g., Ethiopia, worldwide).
- e. Outline Compensation Terms
 - i. Detail the financial arrangements, such as:
 - One-time payment.
 - Royalty percentages.
 - Payment schedules.
 - ii. Include provisions for minimum guarantees or advances if applicable.
- f. Include Representations and Warranties

The assignor/licensor should affirm that:

 - They are the rightful owner of the work.
 - The work does not infringe on any third-party rights.
 - They have the authority to enter into the agreement.

g. Specify Governing Law

The relevant provisions of the copyright Proclamation or the Ethiopian Civil Code.

h. Add Additional Clauses as Needed

Consider including clauses on:

- Termination conditions.
- Dispute resolution mechanisms.
- Confidentiality obligations.
- Force majeure events.

i. Finalize the Agreement

- i. Ensure all parties sign and date the agreement.
- ii. Consider notarization for added legal validity.
- iii. Keep copies for all parties involved

3.15. Labeling and Attribution Duties of Sound Recording Producers

Producers must label sound recordings or audiovisual works with the title, author and main performers' names, producer's name or mark, and a rights reservation notice. Choirs or orchestras must also be named with their leader. This promotes transparency, ensures proper credit, and protects the rights of all parties involved.

3.16. Notice of protection

For commercial audiovisual or sound recordings, the label or container must display the (P) symbol and the year of first publication to indicate the producer's rights and it also alerts the public that a work is protected, helping prevent infringers from claiming ignorance. It strengthens enforcement, even though it's not legally required, serving as initial legal evidence in disputes.

3.17. Exceptions and Limitations?

Third parties may use copyrighted works without consent or payment in fair dealing cases, such as:

- a. Reproduction for Personal Purposes;
- b. Quotation;
- c. Reproduction for Teaching;
- d. Reproduction by Libraries, Archives and Similar Institutions;

e. Informatory Reproduction and Communication to the Public;

f. Reproducing and altering software within legal limits;

g. Importation for personal purpose;

h. Private performance free of charge;

i. Issuance of compulsory license;

j. Display of works;

k. Distribution of copies of works;

3.18. Copyright Registration

a. Who can register a copyright?

- i. The rights holder or assignee may apply for registration, and the Office is responsible for registering works and preserving sample copies as per the Regulation.
- ii. Any work eligible for copyright may be registered if it meets the requirements of Article 6 of the Proclamation.

b. Requirements for Registration

i. Requirements Summarized:

- Completed application form
- Sworn affidavit
- Sample of the work (e.g., CD, tape)
- Proof of payment for the service fee
- Identification documents

ii. Requirements in detail

- Applications must include details about the applicant and author, the title of the work, class, language, publication status, and any relevant publication history, along with other required information set by the Office.
- Applications must include a sample of the work and documents such as ID, proof of legal status (for legal persons), power of attorney (if needed), proof of rights (if not the author), service fee receipt, and other documents as required. Any non-Amharic or non-English documents must be translated into Amharic or English.
- Applications for copyright registration must be in Amharic

or English and can be submitted by post or online. Postal submissions must clearly state the name of the Office and address. The Office may also request the applicant or their agent to appear in person if needed.

- Each application for registration must cover only one work, except for series works like encyclopedias, which may be registered with a single application.
- The Office will conduct a formality examination to ensure the application meets the required criteria. If defects are found, the applicant will be notified to make corrections within one month. Failure to correct the defects within the given time will result in the application being considered abandoned.
- The Office does not conduct a substantive examination to prove ownership of the work but requires the applicant to submit an affidavit confirming their ownership. If the affidavit is found to be false, the applicant will be criminally liable under relevant laws.

iii. Issuance of Certificate, content and effects

- The Office will register a work and issue a certificate of registration if the application meets the formality requirements.
- The certificate of registration for a work entitling copyright issued by the Office will include the registration number, applicant details, date of application, and the registration's validity period.
- The certificate of registration serves as prima facie evidence of ownership of the work.
- Failure to register a work does not affect its copyright rights protection under the Proclamation.
- The certificate of registration is valid for five years. It can be renewed within six months of expiration for five successive years, until the protection period ends. Failure to renew within the allowed period will result in the cancellation of the certificate.
- When a registered copyrighted work is assigned, the assignee can apply to the Office with evidence of the assignment and proof of fee payment. The Office will register the assignment and issue a certificate in the assignee's name.

3.19. Piracy and Infringement

- a. Copyright is infringed when someone uses protected work without the owner's consent. Unauthorized copying and commercial use of such works is called **piracy**.
- b. Piracy is often driven by commercial gain and usually involves organized reproduction and distribution of copyrighted works. Though consumers may only see a single outlet, it often represents a larger illegal operation behind the scenes.
- c. Piracy may offer cheaper works in the short term, but it often delivers poor quality and deprives creators of fair compensation. This loss of income discourages investment in new creative works, ultimately harming both artists and consumers.
- d. The effect of Piracy on Consumers, Creators, Promoters, and Authorities is that it may offer cheap content, but often in poor quality. It deprives creators and promoters of income, reducing incentives for new works. Governments also lose tax revenues and face challenges enforcing intellectual property rights.
- e. Piracy undermines tax revenue, reducing government support for the arts. This weakens the copyright system and threatens the growth of national cultural identity that copyright aims to protect.

Notions of piracy

- a. **Counterfeits:** Counterfeits are exact copies of sound or video discs or tapes, often replicating packaging and trademarks, and can be tapes or industrially manufactured CDs.
- b. **Bootlegs:** Bootlegs are unauthorized recordings of live performances or broadcasts.
- c. **Pirate copies:** Pirate copies are low-quality, unauthorized recordings that don't imitate the original, often with handwritten labels, and are now less common due to demand for better quality.
- d. The term "piracy" includes all types of infringement—counterfeits, bootlegs, and pirate copies. The most affected categories are sound and video recordings, computer programs, broadcasts, and books.

Enforcement of Rights

The following enforcement provisions except the last one (e) are incorporated in Ethiopian copyright legislations.

- a. Provisional measures:** under these measures the court shall order prompt provisional measures to prevent infringement, especially to stop goods, including imports, from entering commerce after customs clearance and to preserve relevant evidence.
- b. Civil Remedies:** These are final remedies in which Courts can award compensation for material and moral damages, grant injunctions, and confiscate infringing works or related items. The rights holder may also claim unjust enrichment or the infringer's net profits. Compensation for material damage is based on the extent of harm, while moral damage is at least Birr 100,000. If the infringer was unaware, compensation may be limited to their profit. Infringing copies can be destroyed or removed from commerce, unless acquired in good faith.
- c. Border Measure:** The Customs authority, upon written request from the copyright or neighboring right holder, may retain goods suspected of infringement. The applicant must be informed of the retention. If no justifiable evidence is provided within 10 days, the retention is lifted. The applicant is liable for damages if the request is unfounded. The customs authority may confiscate infringing goods upon court order.
- d. Criminal Sanctions:** Intentional violations of protected rights under this law are punishable by 5 to 10 years of rigorous imprisonment, unless a heavier penalty is specified by criminal law. Gross negligence violations are punishable by 1 to 5 years of imprisonment. Penalties may also include seizure, forfeiture, and destruction of infringing goods and related materials.
- e. Measures:** Enforcement measures address abuses of technological protection measures (TPMs) designed to prevent **unauthorized copying** or access to **digital content**, it also prohibits the manufacture or distribution of devices **that circumvent these protections**, as well as the alteration or removal of electronic rights management information.

This last remedy, (e) is not part of the enforcement provisions of our copyright proclamation. While there is no specific law governing technological protection measures (TPMs) in our system, global trends encourage right holders to independently apply such measures until legislation addresses unauthorized copying and tools that bypass protections.

Initiating Legal Action

To initiate legal action against copyright and neighboring rights violations the affected party follows these steps:

- a. Identify the Infringement act:** Gather concrete evidence of the infringement, such as copies of unauthorized reproductions, distribution records, or any other documentation demonstrating the unauthorized use of your work.
- b. Initiate legal proceedings:** File a complaint with the appropriate Tribunal or Court that handles intellectual property matters. The intellectual property Tribunal established pursuant to Proclamation No. 872/2014 to provide an efficient and specialized forum for resolving IP disputes of civil cases except extra-contractual liability is not currently in a position to handle such cases. Instead regular courts continue adjudicating cases relating to copyrights.
- c. Which Courts are appropriate?** Copyrights and neighboring rights proclamations like other intellectual property rights fall under federal laws. Federal Courts have Jurisdiction over federal laws.

According to the Federal Courts Proclamation No. 1234/2021, Article 5(m), federal courts have jurisdiction over civil cases relating to literary and artistic-ownership rights.

- **Federal First Instance Court:** Handles civil cases involving amounts not exceeding ETB 500,000 or cases where the monetary value cannot be determined.
- **Federal High Court:** Handles civil cases involving amounts exceeding ETB 500,000.

Therefore, if a copyright infringement case involves a claim amount below ETB 500,000, it would typically be heard by the Federal First Instance Court. If the claim exceeds this amount, the Federal High Court would have jurisdiction.

Criminal Cases: The Federal First Instant Court has jurisdiction over criminal cases under Copyright and Neighboring Rights Proclamations specified in the enforcement provisions. However, if the infringement is particularly severe or has broader implications, the Federal High Court may assume jurisdiction.

Note also that in regions, it is Regional High Courts that take on the Federal First Instance Court's matters by delegation.

4. Collective Management of Copyright and Neighboring Rights

4.1. Their Basic Operations:

- Managing rights individually is often impractical; collective management organizations help handle licensing of copyrighted works, follow on enforcement on behalf of copyright owners.
- Right holders should be rewarded for their work. Collective management organizations collect and distribute copyright fees fairly on a non-profit basis.
- All copyright and related rights owners can join collective management organizations.
- Members declare their works when joining, forming the local repertoire. This links usage to rightful owners, alongside foreign works in the international repertoire

4.2. Where societies are active

Collective management organizations typically manage the following rights:

- Public performance rights (music played in public places)
- Broadcasting rights (live and recorded performances on radio and TV)
- Mechanical reproduction rights (reproduction of works in various formats like CDs, tapes, etc.)
- Performing rights in dramatic works (stage plays)
- Reprographic reproduction rights (photocopying of literary and musical works)

Related rights (for performers and producers of phonograms, ensuring remuneration for broadcasts or public communication)

5. The Ethiopian IP Authority: Key Functions in Copyright

Generally, the Ethiopian Intellectual Property Authority oversees copyright policy, legislation, and enforcement strategies. It also manages registration systems, a key but often burdensome task depending on the industry growth and registration demand. It may also handle issues of compulsory licenses, under special provisions.

In respect of collective right administration the **Authority has:**

5.1. Regulatory Oversight

- Granting recognition and licensing** collective management organizations (CMOs) based on clear legal criteria.
- Ensuring compliance** with the law, including proper governance, fair distribution of royalties, and transparent financial reporting.
- Revoking recognition** if a CMS fails to meet legal standards or acts against the interests of its members.

5.2. Protecting Right Holders

- Ensuring that the CMS properly **collects and distributes royalties** to creators, performers, and producers.
- Mediating disputes between CMS and right holders when necessary.

5.3. Supporting Users (e.g., broadcasters, event organizers)

- Encouraging CMS to provide fair, standardized, and accessible licensing terms.
- Helping to resolve conflicts between CMS and users over fees, scope of rights, or unfair licensing conditions.
- Monitoring anti-competitive behavior by CMS or users.

5.4. Promoting the Interests of the Creative Sector

- a. Supporting public awareness campaigns on copyright and collective rights.
- b. Encouraging the fair use of protected works while respecting creators' rights.
- c. Creating an enabling environment for the growth of the creative industry, including digital rights management and international collaboration.

5.5. Transparency and Accountability

- a. Requiring CMS to submit **regular reports**, including financial audits and distribution schedules.
- b. Making key information **publicly accessible**, such as tariffs, policies, and licensing procedures.
- c. Ensuring **democratic governance** within CMS (e.g., member participation in decision-making).

6. In Summary:

The Authority's role is to **balance the interests** of right holders, users, and the public, while **building trust** in collective management systems. This helps foster a thriving creative economy where right holders are fairly compensated, users can easily license content, and the public enjoys wider cultural access.

Annexes

A customizable **Copyright License Agreement Template** based on **Proclamation No. 410/2004**, includes both **exclusive and non-exclusive** options

Copyright License Agreement

This Agreement is entered into on this ___ day of _____, 20, by and between:

Licensor:

Full Name: _____

Address: _____

ID/ Company Reg. No.: _____

(hereinafter referred to as the "Licensor")

and

Licensee:

Full Name: _____

Address: _____

ID/ Company Reg. No.: _____

(hereinafter referred to as the "Licensee")

1. Grant of License

The Licensor hereby grants to the Licensee a:

Exclusive License

Non-Exclusive License

(check one)

to use the following copyrighted work (the "Work"):

Title of Work: _____

Type of Work: [e.g., book, film, software, song]

Registration No. (if any): _____

Date of Creation: _____

2. Scope of the License

The license includes the following rights (check applicable):

- Reproduction
- Distribution
- Public performance or display
- Adaptation or translation
- Digital transmission or online publication
- Other: _____

Territory: [e.g., Ethiopia only, Africa, worldwide]

Term (Duration): [e.g., 5 years, perpetual]

Language(s): [e.g., Amharic, English, all languages]

3. Compensation

As consideration for the license, the Licensee agrees to pay the Licensor:

- Amount: ETB _____ (or % royalty: _____%)
- Payment Terms: [e.g., lump sum, quarterly, annually]
- Reporting Requirements (if royalties): [e.g., annual usage reports]

4. Ownership and Moral Rights

- The Licensor retains ownership of the copyright.
- The Licensor retains moral rights under Ethiopian law, including:
 - The right to be identified as the author.
 - The right to object to distortion or derogatory treatment of the Work.

5. Restrictions

The Licensee shall not:

- Sub-license the Work without written permission.
- Modify the Work (unless explicitly licensed).
- Claim ownership of the Work.

6. Termination

This Agreement may be terminated:

- By either party with ___ days' written notice.
- Immediately upon material breach.
- Automatically upon expiration of the license term.

Upon termination, the Licensee shall cease all use of the Work and return or destroy all copies, unless otherwise agreed.

7. Governing Law

This Agreement shall be governed by the laws of the **Federal Democratic Republic of Ethiopia**, including **Proclamation No. 410/2004**.

8. Entire Agreement

This Agreement represents the **entire agreement** between the parties and supersedes all previous understandings.

9. Signatures

Licensor:

Name: _____

Signature: _____

Date: _____

Licensee:

Name: _____

Signature: _____

Date: _____

A customizable Copyright Assignment Agreement Template based on Proclamation No. 410/2004 or its amendment Proclamation No.872/2014

Copyright Assignment Agreement

This Agreement is entered into on this ___ day of _____, 20, by and between:

Assignor:

Full Name: _____

Address: _____

ID Number: _____

(hereinafter referred to as the “Assignor”)

and

Assignee:

Full Name: _____

Address: _____

ID Number: _____

(hereinafter referred to as the “Assignee”)

1. Assignment of Copyright

The Assignor hereby irrevocably **assigns**, transfers, and conveys to the Assignee **all rights, title, and interest** in and to the following copyrighted work (the “Work”):

Title of the Work: _____

Type of Work: [e.g., literary, musical, audiovisual, software, etc.]

Date of Creation: _____

Published/Unpublished: _____

Registration No. (if any): _____

This assignment includes, but is not limited to:

- The right to reproduce distributes, perform, display, adapt, and translate the Work.
- The right to license, transfers, and enforces the copyright.
- All rights for the **entire duration of copyright protection**, in Ethiopia and worldwide.

2. Consideration

In exchange for this assignment, the Assignee agrees to pay the Assignor the amount of ETB _____ (or as otherwise agreed), the receipt of which the Assignor hereby acknowledges.

3. Warranties and Representations

The Assignor represents and warrants that:

- They are the **sole owner and author** of the Work.
- The Work is **original** and does not infringe on any third-party rights.
- The copyright is **free from any encumbrances** or prior assignments.

4. Moral Rights

The Assignor acknowledges that, under Ethiopian law, **moral rights are non-transferable**, and retains the right to:

- Claim authorship of the Work; and
- Object to any distortion, mutilation, or modification that would prejudice their honor or reputation.

5. Further Assurances

The Assignor agrees to execute any further documents and cooperate with the Assignee to enable full enforcement or registration of the rights assigned herein.

6. Governing Law

This Agreement shall be governed by the laws of the **Federal Democratic Republic of Ethiopia**, particularly **Proclamation No. 410/2004** and relevant international treaties to which Ethiopia is a party.

7. Entire Agreement

This Agreement represents the **entire understanding** between the parties and supersedes any previous agreements or understandings.

8. Signatures

Assignor:

Name: _____

Signature: _____

Date: _____

Assignee:

Name: _____

Signature: _____

Date: _____



Hayahulet Mazoria,
Haile G. Selassie Ave.
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