

**Law No (     ) of ...**  
**On the Protection of Copy Rights & Related Rights**

In the Name of the People,

Mr. President of the Republic:

- After reviewing the Constitution of the Republic of Yemen,
- After the approval of the Parliament,
- We issued the following law:

**Chapter One**  
**Terms & Definitions**

Article 1        This law shall be called (Law of Protection of Copy Rights & Related Rights)

Article 2        For the purposes of applying this law, the following terms and phrases shall have their corresponding meanings unless context suggests otherwise.

The Republic:	The Republic of Yemen
The Ministry:	The Ministry of Culture
The Minister:	The Minister of Culture
The Regulation:	The regulation of the law.
The Competent Department:	The General Department of Works & IPRs.
The Court:	The competent commercial court.
The Author:	Every creative person who invented with his/her own efforts any of literary, artistic or scientific works and the person who publishes the work attributed to him/herself shall be considered an author whether by mentioning his/her name on the work on through any other means.
The Work:	Any innovated literary, artistic or scientific work whatever is its type, way of expression, importance, or purpose.
Publication:	publishing copies of the work and make it available to the public with the permission of the author, the owner of related rights or whom the rights are assigned to with a quantity that suffices the public.
Computer Software:	a group of phrases or instructions expressed by words, signs, or any other forms which enables the computer to carry out a task or give a certain result.
Related Rights:	The rights related to copy rights which are enjoyed by performers, producers of audio records and Radio and TV authorities.

Audiovisual Work:	the work that consists of a number of linked pictures that give an impression through motion whether accompanied by sound or not.
Producer of Audio or Audiovisual Work:	The natural or artificial person who takes the initiative and carries the responsibility of producing the work.
Collective Work:	The work which is set by more than an author with the initiation and direction of a natural or artificial person who takes the responsibility of publication under his name and management and with the work of authors integrated in the general goal aimed by this person in such a way that it becomes impossible to separate the work of each author and distinguish it on its own.
Joint Work:	The work which is coauthored by more than an author whether the work of each is separable in the work or not. This work is not included among collective works.
Derived Work:	The work whose origin is derived from previous work in existence.
Establishment: Audio Recording:	Establishing the work in a permanent physical form An establishment of performance or sound on a physical material. It does not include the audio recording which accompanies an audiovisual work.
Producer of Audio Recording:	The natural or artificial person who takes the initiative and carries the responsibility of first establishment of performance or sound.
Folklore or Folkloric Expressions:	Every expression represented by distinctive elements that reflect traditional folkloric heritage established in the Republic and in particular: Oral expressions such as stories, riddles, folkloric poetry, anthems, and religious anthems. Musical expressions such as folkloric songs accompanied by music or pieces of music. Physical expressions such as folkloric dances, plays artistic forms and rituals whether embodied physically or not. Tangible expressions such as: A. products of folkloric arts especially drawings with lines or colors on wood, mosaic, shells, metals, jewelry, manually fabricated woven bags, needle works, embroidery, textiles, carpets, and clothing. B. Musical instruments. C. Architectural forms.

Performers:	actors, singers, musicians, dancers, others from the people who participate through their performance in a literary, scientific, artistic, or folkloric expressions.
Public Performance:	carrying out of the work or audio recording through presentation, playing, delivering, narrating, acting, dancing, or any other way either directly or through a device or through any other means. Performance shall be public when performed publicly or in public places.
Broadcast:	direct broadcast of audio or audiovisual work or performance or recording of work or performance or audio recording to the public through wireless way or through industrial means.
Broadcast Authorities:	The entities or authorities responsible for audio or audiovisual broadcast.
Transfer to audience:	making the work, performance, audio recording available to the audience through any means other than broadcast so that the audience can hear it, see it, or watch it at the time and place they choose.
Copying:	making a copy or more of a work, audio recording, or performance, or broadcast program through any means or form whether temporarily or permanently especially through print, photocopying, cinematographic copying, or recording through mediums like tapes, CDs, digital recording or the like.

## Chapter Two Protected Works

- Article (3)
- A. the following shall enjoy the protection of this law: innovative works in the areas of literature, arts and science regardless to their type, form, value, way of expressing them, the purpose of authoring them once the work is innovated without the need for a formal procedure.
- B. The legal protection shall particularly include the following works:
1. Written or printed works like books, booklets, magazines, bulletins, and other written materials.
  2. Works delivered orally like lectures, sermons, and preachments.
  3. Musical works whether accompanied by words or not.
  4. Photographic works and the like.
  5. Series, plays, musical and song plays, silent acting works, dance designs.
  6. Audio and audiovisual works.
  7. Works of lines or colors drawing, digging, graving, adornment, stone sculptures, metal or wood epigraphy, carpets, and any other works.
  8. Works of maps and Rocco schemes.
  9. Solid works concerning geography, topography, science or architecture.
  10. Computer software.

11. Databases if innovated in terms of selection or sequence of content.
  12. The title of the work if distinctive innovated and is not a current utterance to signify the subject of the work.
- Article (4) Without violation of the protection of original works, the protection shall include the following derived works:
1. Translation works, adaptations, summarizations, amendments, explanations, investigations, and works derived from folkloric expressions.
  2. Groups of works and folkloric expressions of traditional popular heritage provided they are invented in terms of selection and sequence of their contents.

- Article (5) The protection shall not include the following:
1. Official documents such as texts of government decisions and decrees and texts of laws, regulations, judicial verdicts, international agreements, all official documents and their official translations.
  2. The news and incidents which are merely media news.
  3. The works that have fallen in the public domain.

**Chapter Three**  
**Copy Rights**  
**Section I**  
**Financial Rights & their Transfer**

- Article (6) A. An author shall enjoy an exclusive right in licensing or preventing any utilization of his work especially the following actions:
1. Copying the work.
  2. Translating, summarizing, explaining, adapting, amending, or re-composing of musical work.
  3. Distributing copies of the work through sales or any other means that transfer ownership.
  4. Renting computer software, established works in audio or audiovisual recording.
  5. Public performance or transfer to the audience.
- B. The right of renting referred to in item (4) of paragraph (A) of this article shall not apply to computer software if they are not basically the place of rent.
- Article (7) The author of original artistic works, original musical and literary scripts or his/her heritors shall enjoy the right of sharing a percentage specified by the regulation for the proceeds of each sales of such works following the first assignment of the utilization right done by the author.
- Article (8) A. the financial rights stated in article (6) of this law shall transfer through inheritance or legal disposition.
- B. The author may transfer any of the financial rights stated in article (6) of this law provided the transfer or disposition is in writing. The right of

utilization shall be stated therein with its purpose, duration of the utilization and its place.

C. The assignee, according to item (B) of this article, may exercise in person all the rights assigned to him/her including the transfer of right to others.

Article (9) The author shall be the owner of all financial rights of his work if he has not explicitly disposed them in total or in partial. The disposition of the author for part of his financial rights shall not be considered a license from the same to utilize any other financial right according to the provisions of the law.

Article (10) The author shall receive financial return in cash or in kind or both in return for transferring one or more rights of financial utilization to others on the basis of participation in obtaining a percentage from the revenues resulting from utilization or a lump sum. If it is found out that the agreement is unfair to the rights of the author or becomes so for circumstances that occurred after contracting, the court may reconsider the financial return agreed on.

Article (11) The disposition of the author of the original copy of the work shall not be considered an assignment of the financial rights on this work.

Article (12) Each disposition of the author for the collection of his/her future intellectual production shall be considered null.

Article (13) The Ministry shall assume the financial rights of the deceased author if he does not have a legitimate inheritor and has not, during his life, transferred his financial rights to others for the protection period stated in Chapter Six of the law.

## **Section II Moral Rights**

Article (14) The author of a work shall enjoy the following moral rights:

1. The right to decide on publishing the work for the first time and to decide on the way of publication.
2. The right of attributing the work to himself in his real name, a pseudonym, or not mentioning the name.
3. The right in prohibiting any deletion, change, addition, perversion, adaptation or amendment to the work.
4. The right to make any amendment to the work whether by change, refinement, deletion or addition.
5. The right to withdraw the work from circulation if there are serious and legitimate reasons to do so. In this case the author shall be obliged to compensate the person assigned the rights of financial utilization.

Article (15) The moral rights stated in article (14) of this law are permanent rights and not subject to assignment, outdateding, or disposing. These rights shall be transferred after the death of the author to his legitimate inheritors. If the author has no heritors, the Ministry shall directly own them.

## **Chapter Four**

### **Financial Rights on Joint & Collective Works**

- Article (16) A. If more than a person co-author a joint work, all shall be considered owners of the rights equally unless agreed otherwise in writing.  
B. None of the coauthors in a joint work may individually exercise copy rights on the work except after the approval of all coauthors. If a dispute arises, settlement shall be through the court.  
C. Any coauthor in a joint work may file a claim whenever there is a violation of copy right.
- Article (17) If one of the co-authors in a joint work dies without having a legitimate inheritors, his share shall be assigned to the rest of coauthors or their inheritors unless agreed otherwise.
- Article (18) If more than an author participate in a joint work and each coauthor's work can be separated and distinguished on its own, each coauthor may utilize the work authored by himself.
- Article (19) Financial rights on collective work shall be for the person (natural or artificial) who initiated and carried the responsibility in achieving and publishing the work under his/her name and management.
- Article (20) A. If more than a person author a musical singing work, the author of the musical work alone shall have the right to license public performance of the total work, permit its performance or publication, or make copies of the same.  
B. The author of a literary work shall have the right to publish the literary work only. He may not dispose the work to be a basis for another musical work unless agreed otherwise.
- Article (21) A. The designer of moves alone in works performed through moves or spectacles accompanied by music and other similar works shall have the right to license public performance of the total work, permit its implementation or publication, or make copies of the same.  
B. The author of musical work shall have the right to dispose of the musical work only. He shall not have the right to dispose of the music itself to be a basis for another work unless agreed otherwise.
- Article (22) A coauthor in an audio or audiovisual work is the person who participates in innovating the work and a coauthor in particular shall be:
1. The scenarist or the author of the written idea of the work.
  2. The adaptor of the literary work to make it suitable for audiovisual work.
  3. The dialogue author.
  4. Author of the musical work if authored especially for the work.
  5. Director of the work.
  6. Author of the former work from which the audiovisual work was elicited.
- Article (23) The producer of the audiovisual work shall do, on behalf of the coauthors of the work or their inheritors, the contracting procedure with others to

- show the work or utilize it in any other means without violation of the moral or financial rights of the coauthors unless agreed otherwise.
- Article (24) If one of the coauthors of audiovisual work refrains from completing the work required by him for any reasons, any of the other coauthor may, in this case, complete the work and shall be considered an author for what he has accomplished and shall enjoy the ensuing rights.

**Chapter Five**  
**Owners of Related Rights**  
**(Performers, Producers of Audio Records and Broadcast Authorities)**

- Article (25) A. A performer shall enjoy moral rights and these rights include the following:
1. The right to attribute his/her performance to oneself.
  2. The right to prevent any distortion, deformation or amendment of his/her performance.
- B. The moral rights stated in paragraph (A) of this article shall be considered permanent rights and not subject to assignment, outdateding, or disposition and the same shall be transferred after the death of the performer to his legitimate inheritors. If the performer does not have inheritors, the ministry shall directly have these rights.
- Article (26) The performer shall have an exclusive right on his performance as to agree on or prevent carrying out any of the following acts:
1. Broadcasting or live transmission of the performance to audience.
  2. Establishing or recording the live performance in an audio recording.
  3. Copying the established performance in an audio recording.
  4. Distributing the original copies or copying from the same in an audio recording to audience whether through sales or any other means transferring property.
  5. Importing copies of the established performance in an audio recording.
  6. Renting the established performance in an audio recording.
  7. Making the established performance in an audio recording available to audience through wired or wireless means.
- Article (27) The producer of audio records shall have an exclusive right in agreeing on or preventing the carrying of any of the following acts:
1. Recording the audio recording.
  2. Distributing the original audio recording or copies of the same to the audience through sales or any other means that transfer property.
  3. Importing copies of the audio record.
  4. Renting the audio record.
  5. Making the audio record available to the audience through wired or wireless means.

- Article (28) The TV and Radio Broadcast Authority shall have an exclusive right in agreeing on or preventing the carrying of any of the following acts:
1. Establishing, recording or copying programs.
  2. Re-broadcasting of programs through wired or wireless means and transmitting them to audience.
- Article (29) The provisions of articles (8, 9, and 10) of this law shall apply to the acts on financial rights of owners of related rights.
- Article (30) In case an audio recording is utilized for commercial purposes through broadcast or public performance or transmission to the audience, the utilizing person must pay a fair compensation to be distributed equally between the performers and the producers of the audio recording unless agreed otherwise.

## **Chapter Six**

### **Protection Duration**

#### **Section I**

#### **Duration of Protecting Financial Rights of the Author**

- Article (31) The duration for protecting financial rights of the author shall last throughout all his/her life and for fifty years thereafter starting from the beginning of the Gregorian year following his/her death.
- Article (32) The duration for protecting financial rights of joint work shall last throughout the lives of the coauthors of the work and for fifty years thereafter starting from the beginning of the Gregorian year following the death of last existing coauthor of the work.
- Article (33) The duration for protecting financial rights of collective work and audiovisual work shall be fifty years starting from the year following the first publication of the work. If the work is not published within fifty years from the date of achievement, the protection duration shall end after fifty years from the beginning of the Gregorian year following the achievement of the work.
- Article (34) The duration for protecting financial rights of the work which is published without mentioning the author's name or was published by a pseudonym shall last for fifty years starting from the beginning of the Gregorian year following the first publication of the work. If the author reveals his identity, the duration of protection shall be in accordance with the provisions of article (31) of the law.
- Article (35) The duration of protecting financial rights for applied artistic works shall be twenty five years starting from the beginning of the Gregorian year following the achievement of the work.
- Article (36) A. The protection period shall start from the date of first publication of the work regardless of republication unless the author, when republishing, introduces major amendment so that it can be considered a new work with a new protection period.

B. If the work consists of many chapters or volumes published independently from each other, each chapter or volume shall be considered as an independent work for the purpose of calculating the protection period.

## **Section II**

### **Protection of Financial Rights of Owners of Related Rights**

- Article (37) The duration of protecting financial rights of performers shall be fifty years starting from the beginning of the Gregorian year following the occurrence of the live performance or following the first establishment of the work in an audio recording.
- Article (38) The duration of protecting financial rights of producers of audio record shall be fifty years starting from the beginning of the Gregorian year following the first publication of the audio record. In case of non-publication during fifty years from the date of first establishment of the audio record, the protection shall start from the beginning of the Gregorian year following first establishment.
- Article (39) The duration of protecting financial rights of TV and radio broadcast authorities shall be twenty years starting from the Gregorian year following the first broadcast of the program.

## **Chapter Seven**

### **Exceptions & Restrictions of Financial Rights**

- Article (40) The following actions may take place without the permission of the owner of the right:
1. Personal use of the work through copying, translating, quotation, or TV watching provided this use does not violate or harm the legitimate interests of the author.
  2. Using the work for education or training purposes whether the work is published or included within a TV or radio program, an audio recording, or audiovisual recording and within the limit that achieves the purpose with reference to the source and name of the author and provided this use is not for achieving a financial profit.
  3. Quoting items or excerpts from another work with the objective of clarification, explanation or criticism and within the limit that achieves the purpose and with reference to the source and name of the author. This exception shall apply to the items taken from articles and journalist periodicals.
  4. Taking photo of a being or a location previously taken photo for.

- Article (41) A. Without a permission from the author or the owner of the right, copying from a newspaper; an article in an economic, political or religious periodical; a broadcast program of the same nature; or transferring this article or program to the audience may take place with reference to the source and name of the author if it exists in the cases in which the right to copy or transfer to audience is not explicitly preserved for the author or the owner of the right.
- B. Any audio or audiovisual work may be copied through broadcasting of news of the current events or filming the event and then broadcasting the same through any media means to the extent that achieves the purpose of media with reference to the source and name of the author if it exists.
- Article (42) The public libraries, cultural authorities and institutions, and educational institutes may, without the permission of the author or owner of the right, copy a work protected according to the provisions of law through photocopying or the like provided copying and the number of copies meets the need of their activities and does not violate or harm the legitimate interests of the author. Copying is particularly permitted in the following cases:
1. Copying a published article, short work, or excerpts from a work if the objective of copying is the need of the natural person to use it for the purpose of conducting research and study provided copying is takes place once or within long periods.
  2. Copying with the objective of preserving the original copy or to replace it in case it is lost, damaged, become unusable and impossible to obtain an alternative within acceptable conditions, or run out of publication.
- Article (43) Limited copies of a work may be imported without the permission of the author for personal use.
- Article (44) Media means may, without the permission of the author or the owner of the right, publish sermons, lectures, speeches, judicial procedure during the consideration of disputes, publicly exhibited works with giving reference to the source and the author.
- Article (45) The Author or owner of the right, after publishing the work, may not prevent others from showing, performing, acting or delivering the work in a family gathering, a charity, official occasions or educational facility as long as the use does not generate direct or indirect financial income.
- Article (46) Copying of a protected work may take place without the permission of the author or the owner of the right with giving reference to the source and name of the author, if it is to be used in judicial and administrative procedures.
- Article (47) A spare copy of a computer software may be made with the knowledge of the legitimate owner of the software for replacement in case of loss or damage.
- Article (48) Exceptions stated in articles (40 and 47) of this law shall apply to owners of related rights provided this legitimate use of the work or

performance does not violate the moral rights of the author or performance artist according to the law.

- Article (49) A. Any Yemeni citizen may apply to the ministry for a non-exclusive and non-assignable license to copy or translate a protected work according to law without the permission of the author or owner of the right for purposes of meeting the general needs of the audience and for educational, research and study. The license shall be issued from the minister with a statement of the reason for use and the fair financial revenue for the author or the owner of the right. The regulation shall state the cases and conditions for granting the license.
- B. The license stated in paragraph (A) of this article shall not be granted unless the applicant proves that he/she requested the license from the owner of the right to copy or translate and his/her request was rejected or he could not find the owner of the right after making the necessary efforts.

### **Chapter Eight** **Depositing Procedures**

- Article (50) Any authors or owners of related rights who wishes to deposit a work, an audio recording, a performance, a TV or radio program may apply to the competent department with a signed application by him or his attorney and shall enclose the following with the application:
1. Name and type of the work, audio record, performance, or radio or TV program.
  2. Name and address of the applicant.
  3. A copy of the power of attorney issued from the author or owner of the related rights approved according to rules.
  4. A copy of the work, audio recording, performance, or radio or TV program. In the case of portraits, oil or water-color paintings, statues, designs, and other works which just have one original copy only, a photo of the same showing the three dimensions and illustrating the form and look of the work shall suffice. The regulation shall specify any other exceptions in this regards.
  5. Providing a written commitment from the applicant on his rightfulness to the ownership of the work according to the provisions of the law.
  6. Paying the depositing fees according to the regulation.

Article (51) Non-depositing shall not lead to violating the endorsed protection according to the provisions of the law.

Article (52) The competent department shall examine the data and documents enclosed with the depositing application and registering the application in the register. The application must be decided on by acceptance or rejection within a period not exceeding thirty days from the date of submitting the application.

- Article (53) After acceptance of the application, the ministry shall grant a depositing certificate free for once. The regulation shall decide the amount of fees for obtaining an additional certificate.
- Article (54) The depositing certificate shall include the data and information in the depositing application.
- Article (55) The depositing certificate issued from the ministry shall be considered a legal evidence on the truth of the information it includes unless proven otherwise.

## **Chapter Nine**

### **Protection of Folklore and Folkloric Expressions**

- Article (56) Folklore and folkloric expressions are general property of the State and the ministry shall protect them with all legal means.
- Article (57) A. The ministry shall enjoy the moral rights of folklore and folkloric expressions and protecting them from any distortion or adaptation.  
B. Whoever uses or utilizes folklore and folkloric expressions shall mention the source as long as possible and in a suitable way.
- Article (58) Folklore or folkloric expressions may not be used except through a license from the ministry and the following acts are subject to licensing:
1. Copying by any means.
  2. Public performance or transfer to audience.
  3. Distributing copies through sales or any other means that transfer ownership.
- Article (59) The following acts shall not be considered a violation on folklore or folkloric expressions:
1. The use in traditional or customary means which does not aim at profit.
  2. Quoting or using excerpts with the purpose of innovating a new work.
- Article (60) The exceptions stated in Chapter Seven of this law shall apply to folklore and folkloric expressions.
- Article (61) Importation, distribution of copies of folkloric work or translations of national folklore are prohibited except through a prior consent from the Ministry.

## **Chapter Ten**

### **Precautionary Measures & Penalties**

#### **Section I**

#### **Precautionary Measures**

- Article (62) The court based on a request from the author or whoever has the author's rights or their heritors, in case of violations to any of the rights mentioned in this law, may order taking any of the following precautionary measures:
1. Stopping the violation to the protected right according to the provisions of the law.

2. Seizing the copies of the work under violation as well as the tools used to make such copies.
3. Proving public performance for doing, acting or delivering a work in front of audience, preventing the continuation of the existing show and prohibiting it in the future.
4. Assigning a judicial guard on the work subject to violation whose job shall be republishing, re-showing, remaking or reproducing the copies of the work provided the proceeds shall be deposited at the court's safe. The guardianship shall end by an agreement of the concerned parties or by a verdict from the court.
5. Inventorying the resulting revenues from publication or showing with the knowledge of an expert assigned to do so if need be, and seizing the revenues.

Article (63) A. The court, before it issues an order of precautionary measure according to article (62) of the law, shall order the requester of the measure to deposit at the court's safe a sufficient financial guarantee to be estimated by the court in order to prevent over-demand and to compensate for any damages that might befall the person whom the measure is taken against if the requester of the measure was not right in his request.

Article (64) A. The court, based on a request from the person whom the measure was taken against according to article (62) of the law, may cancel the precautionary measure if the requester of the measure does not file a claim of the subject of dispute to the court within ten days following the issue of the precautionary order.

B. When the court cancels the precautionary measure taken according to article (62) of the law due to ending the period for filing the claim, due to unfair demand from the measure requester, or due to finding there is no violation or risk of violation, the court, based on the request of the of the person whom the precautionary measure was taken against and within 90 days from the end of the period for filing the claim or issuing the cancellation of the order, may order a suitable compensation for the damages resulting from the measure taken.

Article (65) The court may take any of the measures stated in article (62) of this law in a precautionary way without notifying the defendant and in his absence in the cases in which delay may result in irrecoverable damage to the owner of the right or in losing evidence proving the violation, and notify the parties whom such measures are taken against once implemented. The person whom the measures are taken against may hold a hearing session to hear his say. The court shall order maintaining, amending or canceling the precautionary measure.

Article (66) Whoever the court rejects his request or whom the measure was taken against, may appeal in front of the court issuing the order within thirty days from the date of issuing the order. The appeal shall be according to the customary rules for raising a claim. The court shall decides upon the appeal by enforcing it or cancelling it in total or in partial.

Article (67) The court may dispose of the tools and copies sentenced to confiscation by selling them in a public auction provided the author, owner of the right or the legitimate heritors do not object. In this case, the revenues of the sales of the sentenced items to confiscation in accordance with article (68) of this law shall be deposited in the court's safe until the dispute is settled with a final and irrevocable verdict. When enforcing the verdict, whatever to be paid by the verdict in terms of compensations, costs, or judicial and administrative procedures shall be deducted from the sales.

## **Section II**

### **Penalties**

Article (68) Without violation of any severer penalty stated in any other law, whoever commits the following violations shall be punished by an imprisonment for a period not exceeding six months or a fine not exceeding (five hundred thousand rials) or both penalties:

1. Violating any moral or financial right of the author or owner of related rights stated in the law.
2. Selling, renting, showing, importing, exporting, or circulating a protected work, audio record or radio program, according to the provisions of law without a prior written permission from the author or owner of the related rights.
3. Submitting false data or information with the objective of depositing.
4. Publishing a protected work, audio recording, broadcast program or performance according to the provisions of this law through internet or communication network or any other means without a prior permission from the author or owner of related rights.
5. Intentional removing, breaking, or making any damage to any protection technology like coding or others used by the author or owner of related rights.
6. Manufacturing, assembling or importing for the purpose of sales, renting or showing for selling any device or means designed or set to violate a protection technology used by the author or owner of related rights to protect the violation on his/her rights.
7. Deleting or amending what is set by the author or owner of related rights in terms of electronic information regulating the usufruct of his rights.
8. Counterfeiting a work, audio recording or broadcast program published in the Republic or abroad with knowing the counterfeiting work, and selling, placing for sale, circulating, renting, or exporting it outside the Republic.
9. Violating the provisions of articles (57 and 58) of this law or distorting or deforming folklore.

Article (69) The court may decide doubling the penalty of imprisonment and fining in case of repeating any of the violations stated in article (68) of the law. In

all cases, the court, when issuing the judgment of guiltiness, may order taking any of the following measures as complementary penalties:

1. Confiscating the copies under violation.
2. Confiscating the tools and equipment used in committing the violation.
3. Closing the publishing house, shop, institution, or company whom the verdict used in committing the violation for a period not exceeding six months. In case of repeating the violation, the closure shall be final. In all cases, the court shall decide to destroy the counterfeit copies.
4. Publishing the guiltiness judgment in a daily newspaper at the expense of the convict.

### **Section III Compensation**

- Article (70) The court shall fine every person who violates any of the author or owner of related rights a fair compensation for the material or immaterial damages on the owner of the right.

### **Chapter Eleven General & Final Provisions**

- Article (71) All publishing houses, shops of producing audio records and institutions licensed by the ministry to practice the profession of publishing, copying, distributing, and selling of works, audio records, performances, and broadcast programs shall keep documents that entitle them to do so from the owner of the right or his heritors whether the work is from inside the Republic or from abroad. The regulation shall specify the type of information needed for works from outside the Republic.
- Article (72) A. The minister shall form a committee, comprising three members of experience and competence to assume, after the agreement of the conflicting parties, the task of solving and settling any conflict arising as a result of applying or interpreting this law.  
B. The Committee, when carrying its tasks, shall apply the rules and provisions of national legislation with regards to arbitration on issues referred to it as well as when enforcing its decisions.
- Article (73) The title of law enforcement officers shall be granted to the employees who are named by a decree from the Minister of Justice based on a the request of the minister. They shall assume the task of entering shops and stores selling, distributing, renting, showing, copying, or producing works, audio records, performances, broadcast programs and seize the tools, copies, and means used in committing any of the violations stated in this law. They may take the help of policemen if need be.
- Article (74) The provisions of this law shall apply to the following:  
1. Works of Yemenis.

2. Works of foreigners based on agreements, international conventions of Intellectual Property Rights to which Yemen is a party. In case they do not apply, the principle of reciprocity shall apply.
3. Works, performances, audio recordings, and their related rights when enforcing the law, provided they do not fall in the public domain at the time of enforcing the law. The time that passed from the date of starting the protection until the start of enforcing this law shall be factored in the protection period for any of such works.

- Article (75) The counterfeit products of works enjoying protection in the Republic shall be denied entry to the lands of the Republic
- Article (76) The court shall specialize in looking at disputes arising from the enforcement of the provisions of this law and its regulation.
- Article (77) Provisions regarding copy rights stated in the Republican Decree No (19) of 1994 on intellectual right shall be cancelled by this law as well as any text or provision in conflict with it.
- Article (78) The regulation shall be issued by a decision from the Prime Minister based on the presentation of the minister and after the approval of the Cabinet.
- Article (79) The minister shall issue the decrees and instructions enforcing the provisions of the law.