



UNIVERSITY OF JOHANNESBURG

KINGSWAY CAMPUS

FACULTY OF LAW

15 NOVEMBER 2019

COURSE NAME: COPYRIGHT LAW (LLM) **DURATION:** 4 HOURS

COURSE CODE: CRL9X1C **MARKS:** 100

EXAMINER: PROF WIM ALBERTS

MODERATOR: PROF S GEYER

INSTRUCTIONS:

1. Answer ALL THE QUESTIONS.
2. Number your answers clearly.
3. Refer to case law where relevant.

QUESTION 1

A handicapped expert dictates the content of a book to his secretary, who types it up. Is there any basis on which she can claim rights to the book? Explain the answer with reference to the idea/expression dichotomy in copyright law having regard to the decision in Peter-Ross v Ramesar [2008] ZAWCHC 39.

[10]

QUESTION 2

X, an employee of Y, prepares a presentation for an overseas conference in his work time as a scientist. Who will have ownership? Discuss the problem of ownership of copyright in an employment context with reference to case law and the views of writers.

[20]

QUESTION 3

Discuss the meaning of section 15(3A) of the Copyright Act 98 of 1978 with reference to case law and the views of writers.

[20]

QUESTION 4

Discuss the issue of the protection of television or media formats with reference to Metro-Goldwyn-Mayer v American Honda Motor Co. 900 F. Supp. 1287 (C.D. Cal. 1995).

[20]

QUESTION 5

What is the importance of the decision in Galago Publishers (Pty) Ltd v Erasmus 1989 (1) SA 276 (A)?

[10]

QUESTION 6

A has the copyright in a black and white film. He assigns his copyright to B. B decides to convert the film to a colour format. Can A rely on any moral rights to prevent the film from being coloured? Answer and explain the concept of moral rights having regard to the views of academic writers.

[20]

TOTAL: [100]