

Automatic Copyright

This symbol is used to signify that something is copyright protected ©. However, under Australian Law, this symbol does not have to be used. Copyright is automatic once a person creates a story, painting, song, or any other new material recognized as IP.

Your Copyright Rights under NBLC

NBLC works with Noongar speakers to record the language in order to preserve it and make resources for its preservation and use. When a recording is made, NBLC holds copyright of the actual recording but the speaker holds copyright of their actual speech. In this way, both NBLC and the speaker have a form of copyright over the same recording.

If the language from the recording is used to put into the dictionary, then NBLC owns the copyright of the dictionary. But no one owns copyright of the words and language as this is not permitted under Australian Law.

Before recording language work, NBLC staff seek written permission from the speaker about the use of the recording. After recording, the speakers are given a copy of their recordings and a copy of their permission form. The speaker's permission form always stays with the recordings and is adhered to for now and forever. The recording and form are put into the NBLC archives for safekeeping.

If NBLC staff believe a story should be made into a book or used in a different way other than what the speaker agreed to, the staff member will talk to the speaker again. A new agreement will be made if the speaker agrees to the recording being used in a different way.

Noongar Boodjar Language Centre provides a range of services including:

- Noongar linguistics
- Noongar educational programs
- Noongar translating and interpreting
- Noongar heritage projects
- Noongar Welcomes

Other partnerships and projects welcomed

To discuss or obtain a quote:

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Intellectual Property and Traditional Knowledge Information

Keeping the Noongar Language Alive



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What is Intellectual Property?

Intellectual Property (IP) is the term given to a person's material that they create by himself or herself. This includes stories, songs, poems, drawings, logos, inventions, medicines, paintings etc.

IP is protected under Australian Copyright law. The person who created the material owns it.

What is Traditional Knowledge?

Traditional Knowledge (TK) is the term given to knowledge that is shared by a group of people. The people all share ownership of this knowledge. This includes myths, legends, songs, games, poems, dreamtime stories, traditional medicines, hunting methods etc.

TK is not protected under Australian copyright law. However NBLCAC respects the group ownership of TK.

Why protect IP and TK?

IP- Individuals are entitled to have ownership of their thoughts, ideas and the material that is produced as a result. Protecting IP means other people are not permitted to use one person's ideas, thoughts or material without their permission.

TK- Each culture has shared traditional knowledge. TK is shared between people and often outside of a particular cultural group. The group is entitled to have their knowledge protected. However, laws do not exist yet in Australia that protects TK.



How are IP and TK protected?

There are a number of Australian laws that protect IP and some TK. The main law is the Copyright Act 1968 (Cth). This Act sets out how copyright applies to material created before and since 1968.

The Government makes copyright laws so that others can not steal a person's material, songs, stories, drawings and so on, and pass it off as their own.

Other countries may have different copyright laws to Australia's.

Copyright at Noongar Boodjar Language Centre (NBLC)

NBLC is very careful to adhere to the Australian copyright Act. The Board of Directors developed policies and procedures that make sure each person's IP is protected and TK is respected. People are welcome to ask for a copy of these policies.

NBLC copyrights any material produced by staff so that no other person or organisation can claim they own it or can claim copyright to it.

Copyright can not be placed over a language or the words in a language. However, when books are made with stories in them, the book can be copyrighted and the story can be copyrighted, but not the language itself.

At NBLC, any material produced is copyrighted to NBLC but the storyteller still owns the copyright to the story. In this case, there are two ownerships over book productions- NBLC owns the actual book but the storyteller owns the story.

Before working on any productions, NBLC staff will explain copyright and seek the story owner's permission as to how the story may be used.

Can Language be Copyrighted?

No. Everyone uses language and therefore any individual or group of people do not own it. It may be classed as TK if it is spoken by a particular group of people.

The work NBLC does is to collect the Noongar language and include each word and sentence in databases to produce a dictionary and grammar. In this case, language speakers do not own their contributions but will be recognized in any dictionary production. NBLC then owns the dictionary.

Some Examples of IP and TK

Here are some examples to demonstrate the way IP, TK and copyright is covered under the Copyright Act.

1. A song several people know

If a song has been learnt by many people in a community and passed down between generations, this song is TK. This song can not be copyrighted under Australian Law.

2. A song made by an individual

If one person creates a song, this person has IP rights over their creation. Under copyright law, the individual owns this tune and the words to it.

3. A traditional song changed by an individual

If a person takes a traditional song (TK) and significantly changes the words but not the tune, the words become copyrighted to them under IP laws. But the tune is still shared by people under TK. The whole song can not be copyrighted, only the new words that an individual made up.