Works of Mas within the Copyright Framework:
A Rationale

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Copyright

Original literary and artistic works, such as

- Literary works, such as novels, poetry
- Musical works, with or without words
- Works of art, sculptures, works of applied arts, perhaps costumes
- Dramatic and musico-dramatic works
- Choreography
- Audiovisual works
- Multimedia works

Copyright, cont'd

Derived works, such as

- Adaptations, translations
- Compilations, such as anthologies
- Databases

Combined works?

- Songs, i.e. combinations of words and music
- Ballets, i.e. combinations of music and dance
- A *gesamtkunstwerk* (all embracing art form) (Richard Wagner *1813 ✝1883), i.e. combinations of music, words, costume, set, props, etc.
- An audiovisual work

One fine day in the spring of 1997

The persons:

The Hon. Mrs. Kamla Persad Bissessar, at the time Minister of Law

Jørgen Blomqvist, Head of Copyright (National Legislation) Section, World Intellectual Property Organization

The problem:

The bandleaders wanted to be recognized in the Copyright Act, otherwise they could not support its enactment

Faculty of Law

The solution, Sec. 6(1)(c) of the Copyright Act

6. (1) The following shall also be protected as works:

(…) *(c) works of mas.*

Sec. 3 (Interpretation), last item:

"work of mas" is an original production intended to be performed by a person or a group of persons in which an artistic work in the form of an adornment or image presented by the person or persons is the primary element of the production, and in which such adornment or image may be accompanied by words, music, choreography or other works, regardless of whether the production is intended to be performed on stage, platform, street or other venue.

Possible other solutions, such as related rights or sui generis?

Performing artists
Phonogram producers
Broadcasting organizations

Protection of databases

At the time, that was not up for discussion, the mandate was to get mas
under copyright protection – will be discussed later in the program

Thank you for your attention

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