

Our Ref. 本署檔號 : SF(2) to IPD/1006/46
Your Ref. 來函檔號 :
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21 September 2007

Dear Business Executive,

Compliance with the Copyright Ordinance

Hong Kong is an international business centre with a good reputation for protecting intellectual property rights – including copyright – according to international standards. The Government has been actively pursuing public educational programmes to promote public awareness of intellectual property protection.

Under the Copyright Ordinance, any person who knowingly uses an infringing copy of a copyright work in business may bring civil and/or criminal liabilities upon their organisation, the management and their employees.

Moreover, under a new provision in the Copyright (Amendment) Ordinance 2007 that will take effect on a date to be notified by the Government, a person who makes copies of printed works regularly or frequently, without authorisation of the copyright owner, for distribution in the course of business could also result in criminal liabilities, in addition to civil liabilities, to the organisation and the persons mentioned above.

To ensure that your organisation can better meet its obligations, it would be advisable for the management to draw these changes to the attention of your employees. To help management to draw up an internal circular for circulation among your staff, we have prepared the enclosed sample (in English and Chinese). You are welcome to adapt the circular or modify the wording to fit the circumstances of your organisation.

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Please appreciate that the content of the enclosed sample are provided for reference only. It does not constitute legal advice and the Government does not accept any liability for any loss or damage caused to any person in reliance of any information or omission in it.

We recommend that you regularly remind your Staff of the contents of the circular at least once a year. In addition, we suggest that each employee should be asked to sign an acknowledgement that he or she has read the circular and understood its contents. An electronic copy of the draft circular can be downloaded from the Internet at <http://www.ipd.gov.hk>. You are welcome to freely copy and alter it.

Let's join hands in protecting intellectual property rights in Hong Kong!

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Stephen Selby', with a stylized flourish at the end.

(Stephen Selby)
Director of Intellectual Property

Encl.