

## 12. Case Study 2: Situation of Copyright Awareness Education and Promotional Activities in Mongolia

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At this time, humanity is experiencing a wave of high speed, enormous change and reform. Changes in the economic and social sectors, influenced by globalization, have not failed to impact the intellectual property sector, and in particular, the sector of copyright. This is because science and technology, and the ability to use that knowledge, depend on the human spirit as well as the quality of education. Today, the main basis for every nation to successfully participate in emerging globalization is scientific and technical achievements and the resources for knowledge.

I am, as a teacher, very happy to note that Asia/Pacific Cultural Centre for UNESCO has issued the Asian Copyright Handbook and organized this special Workshop on copyright. This is a time when training about intellectual property and improving the quality of education are quite important for further reforms to be made in the sector of intellectual property.

When I was preparing my report on this topic, I conducted research about how copyright law training in Mongolia is being implemented at the educational levels of high school, four-year college, master's and post-graduate study, in order to advance the understanding of this issue.

### **Copyright Training in High (Secondary) Schools:**

Training about Intellectual Property Law in Mongolia began in early 1990's, mostly in the field of law. This law curriculum did not generally include the topics of intellectual property and copyright. However, the newly edited version of the curriculum in 2006 mandated such law class in the 10 and 11th grades. According to related analysis law curriculum, we have found that it covers in detail subjects such as labour law, social welfare law, election law, the rights and responsibilities of governors, civil and criminal procedure laws, etc. However, there is no information presented about copyright. In fact, it is better for them to have some information concerning copyright laws than to have knowledge about criminal and civil procedure laws, or the rights and responsibilities of governors. Every child will not be a governor or appear in court sessions. However, all are entitled to be an author, or create other works and enjoy their benefits.

### **Higher (tertiary) Educational Institutions' Curricula on Intellectual Property:**

Training in Intellectual Property Law in Mongolia originated within the law field. Since 1990, when Mongolia transformed into a market economy, certain changes were made in the curricula of its higher educational institutions in order to reach the educational levels of countries where the market economy were better developed. For example, the Law School of the Mongolian State University introduced Intellectual Property Law as a separate subject for its students. Since the transition period in Mongolia, many private educational institutions have been set up. At present, fewer than 20 percent of more than 20 law institutes include intellectual property law as a separate subject. The rest of them give students just general knowledge about civil law or international civil law. Other than the law institutes, the Scientific and Technical Institute, Agricultural Institute, Educational Institute, and Trade and Industry Institute only offer the subject of Intellectual Property Law (for a less hours.)

Since 2002, within the World Bank's Project on Reform in Jurisdiction, its sub-project is still under implementation in order to improve the curricula of Mongolia's law institutes. Within this project, the curricula of institutes are created anew, and the subjects of intellectual property or patent law are planned to be included as a compulsory subject. However, the implementation of this project has taken almost two years. This indicates that today, the relevant authorities within these institutes in general do not wish to acknowledge the importance of training in intellectual property law.

### **Master's and Doctoral Level:**

At present, no training in intellectual property law, particularly in copyright law, has been conducted among candidates for doctoral degrees, and there has been no research done in this area among the doctoral theses which have been defended. Sixteen hours of lecture on patent law has been conducted for master's degree candidates. However, this concentrates only on the intellectual property as related to industry. During the period of 1990-2005, there were around 13 papers written on the copyright issue for master's theses.

**Post-graduate Level:**

Around 34 lawfully authorized Patent or Copyright Agencies are acting in Mongolia at present, which have obtained a special license. Taking this opportunity, I would like to thank the Intellectual Property Office of Mongolia (IPOM), which jointly with the World Intellectual Property Organization, European Union, and Japan Patent Office, has successfully organized many important trainings and seminars in Mongolia. However, sufficient training on special programmes has not been conducted as they should have been taught. It is not a secret that the Patent and Copyright Agencies authorized by IPOM also need to improve their knowledge through advanced training. In spite of this, legal entities who possess copyrights are not involved in any training, and they do not have a proper idea as to how to protect one's lawful rights in practice. It is very common that they do not even know when they have breached one another's copyright.

**Incompulsory training:**

Nowadays, everybody knows that they are liable to be convicted of theft; however, they are not aware that they could be convicted of the same crimes if they use the creations of others without any prior consent. Even if they know this, they do not accept it or just ignore it. Such practice is common in Mongolia. Even the writers do not know if their copyright has been breached, or if they know there has been a breach, they do not know how to contest it and to whom they should address their complaints. This is also related to insufficient training in copyright law.

Basing on the above mentioned, I would like to make several proposals to improve the curriculum of intellectual property law training and to implement it with the following steps:

1. Give easy-to-understand, basic knowledge about copyright laws to students in secondary schools. It is necessary to create and publish copyright handbooks and books for children. To do so, it is necessary to announce handbook bidding, to support and invest in the publishing of such handbooks, and to announce and praise the donor organizations in public.
2. Include the subject of intellectual property law in the curriculum of secondary schools and all higher educational institutions as a compulsory subject, since intellectual property is relevant to nearly all fields such as health care, law, engineering, business, photography, fine art. Whoever issues of intellectual property apply

to should have knowledge about it.

3. Intellectual property law objects like inventions, patents, model products, music, art, literature, photography impact our life. You can use the internet as an example. Therefore, it is necessary and more efficient to organize distance training in copyright law using the internet. Intellectual property law authority should organize this training in the following stages:
  - a. For citizens
  - b. For creators
  - c. For students at universities and colleges
  - d. For young teachers of copyright and intellectual property law
  - e. For authorized representatives of copyright
  - f. For staffs of mutual authorities
4. Include in the master's curriculum not only patent law but also copyright law. It is particularly important to include the subject of copyright for students who will become journalists, painters, writers, artists and singers in the future.
5. One of the integral parts of curriculum is a programme of subjects. Today, it is very common that a teacher works out the programme of subjects on intellectual property law at her/his discretion. This can adversely impact to the quality of teaching. In this connection, it is important to work out proper standards for curricula suitable for the different levels of bachelor's, master's, doctorate degrees.
6. It is necessary that trainings or courses to improve copyright qualification be conducted by authorized representatives, judges, prosecutors or law school teachers according to a special curriculum, in a sequential manner.
7. The next important thing is to prepare peer educators among teachers. In order to prepare more qualified and newly educated teachers, it is important to organize training for them, and to encourage collaborative work wherein they can exchange experiences. The most productive way to prepare good teacher is to select them through examination.

Authors do not have enough knowledge about copyright law, because on the one hand universities and colleges do not offer them programs related to this topic, and on the other, copyright organizations don't take enough measures to protect the rights of the authors and other writers. In other words, the organizations should pay more attention to

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improving the knowledge and education of their members and staffs in order to be recognized by the public or to conduct its business activities normally within a legal framework. To do so, the authorities should be involved in training and to conduct training by hiring professional staffs and teachers, to initiate works to improve legal knowledge among citizens, and to support and finance such activities. This is because it is common that their staffs breach legal rights at the stage of contract conclusion or not to accept their legal requirements. The best and first stage of the measure is to improve copyright knowledge of citizens.

National Workshop for Copyright Awareness and the Production and Utilization of the Mongolian Version of "Asian Copyright Handbook"  
(Ulaanbaatar, 5-7 October 2006)

### Copyright Law Training in Mongolia

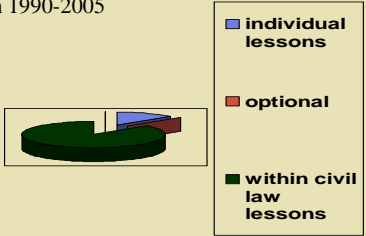
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### Training in Intellectual Property Law

- ❖ In higher educational institutions
- ❖ At the level of Masters and Doctorate degrees
- ❖ At the level of post-graduates

### Law School Training in Intellectual Property Law

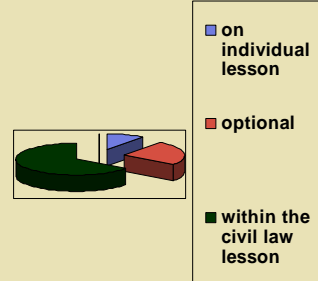
❖ Between 1990-2005



Category	Color
individual lessons	Blue
optional	Red
within civil law lessons	Dark Green

### Law School Training in Intellectual Property Law

❖ After 2005



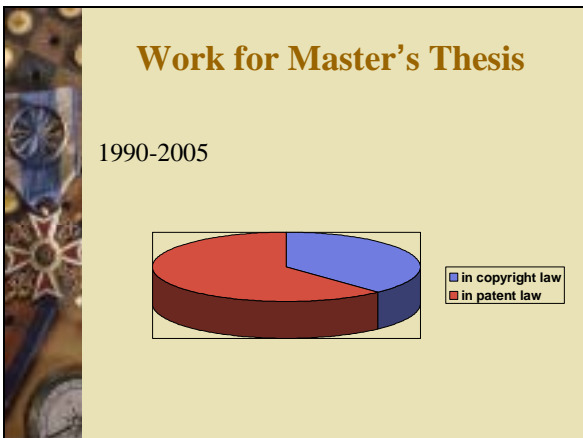
Category	Color
on individual lesson	Blue
optional	Red
within the civil law lesson	Dark Green

### Training in Intellectual Property Law in Other Institutions

- ❖ Agricultural Institute
- ❖ Scientific and Technical Institute
- ❖ Educational Institute and
- ❖ Trade and Industry Institute

### Training for Master's and Doctoral Degree Candidates

- ❖ Patent Law teaching is conducted in all specialized classes



### Training of Post-graduates

- ❖ The Intellectual Property Office organizes international, regional, national training for a short period every year

### Summary

- ❖ The subject of Intellectual Property Law should be in the curriculum of all higher educational institutions as a compulsory subject
- ❖ Patent *and* Copyright Law should be included in the Master's curriculum

### Summary

- ♦ One of the integral parts of educational curricula is a programme for each subject. Today, it is very common that a teacher works out a programme for Intellectual Property Law only at her/his discretion. This can adversely impact the quality of teaching. In this area, it is important to work out proper standards for curricula, each suitable to the different levels of bachelor's, master's, and doctoral degrees.

### Summary

- The next important task is to prepare peer educators among the teachers.
- Another suitable way to conduct Copyright training is a distance learning program.

Thank you for your kind attention

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