

saqarTvel os kanoni

“saavtoro da momij nave ufl ebebis Sesaxeb” saqarTvel os kanonSi cvl il ebebis da damatebebis Setanis Sesaxeb

muxl i 1. “saavtoro da momij nave ufl ebebis Sesaxeb” saqarTvel os kanonSi Setanil iqnes Semdegi cvl il ebebi da damatebebi:

1. kanonis pirvel i muxl i Camoyal ibdes Semdegi redaqqiit:

“muxl i 1. kanonis regul irebis sfero

es kanoni aregul irebs:

1. im saavtoro qonebriv da pirad araqonebriv ufl ebebTan dakavSirebul urTierTobebs, roml ebic warmoISoba mecnierebis, literaturisa da xel ovnebis nawarmoebTa Seqmnisa da gamoyenebis dros (saavtoro ufl ebebi).

2. Semsrul ebl is, fonogramis, videogramis damamzadebl isa da mauwebl obis organizaciis saavtoro ufl ebebis momij nave ufl ebebTan dakavSirebul urTierTobebs (SemdgomSi – momij nave ufl ebebi).

3. monacemTa bazis damamzadebel is ufl ebebTan dakavSirebul urTierTobebs (*sui generis* ufl eba).”

2. kanonis me-3 muxl is a) qvepunqti Camoyal ibdes Semdegi redaqqiit:

“a) mecnierebis, literaturisa da xel ovnebis nawarmoebebze, Semsrul ebaze, fonogramaze, videogramaze da monacemTa bazaze, roml ebzedac ufl ebaTa mfl obel ia saqarTvel os moqal aqe, agreTve fizikuri piri, romel sac aqvs mudmivi sacxovrebel i adgil i saqarTvel os teritoriaze da iuridiul i piri, romel sac aqvs mudmivi adgil samyofel i saqarTvel os teritoriaze.”

3. kanonis me-3 muxl is b) qvepunqti Camoyal ibdes Semdegi redaqqiit:

“b) mecnierebis, literaturisa da xel ovnebis nawarmoebebze, fonogramasa da videogramaze, monacemTa bazaze, roml ebic pirvel ad gamoqveynda saqarTvel os teritoriaze. nawarmoebi, fonograma da videograma aseve CaiTvl eba saqarTvel oSi pirvel ad gamoqveynebul ad, Tu sazRvargareT pirvel i gamoqveynebidan ocdaaTi dRis ganmavl obaSi isini gamoqveynda saqarTvel os teritoriaze”.

4. kanonis me-3 muxl is d) qvepunqti Camoyal ibdes Semdegi redaqqiit:

“d) im mauwebl obis organizaciaTa gadacemebze, roml ebsac saqarTvel os kanonmdebl obiT dadgenil i wesiT miRebul i aqvT mauwebl obis licenzia da gadascemen gadacemebS saqarTvel os teritoriaze ganl agebul i gadamcemebiT, eTeris, kabel is an sxva anal ogiuri saSual ebis gamoyenebiT”.

5. kanonis me-4 muxl is d) qvepunqti Camoyal ibdes Semdegi redaqqiit:

“d) “saj aro gacnoba” _ nebsmieri qmedeba (gamoqveynebis garda), roml is Sedegadac uSual od an teqnikiuri saSual ebis meSveobiT

nawarmoebi, Sesrul eba, fonograma, videograma, mauwyebi obis organizaciis gadacema an monacemTa baza xel misawvdomi xdeba sazogadoebis saTvis”.

6. kanonis me-4 muxl is e) qvepunqti Camoyal ibdes Semdegi redaqqi iT:

“e) “gamoqveyneba” _ avtoris, saavtoro da momij nave ufl ebaTa sxva mfl obel is, monacemTa bazis damamzadebl is TanxmobiT nawarmoebis, fonogramis, videogramisa an monacemTa bazis asl ebis samoqal aqo brunvasi gasveba gayidvis an gaqiravebis, anda nawarmoebis, fonogramisa, videogramisa an monacemTa bazis asl ebze sakuTrebis an mfl obel obis sxva formiT gadacemis gziT, im raodenobiT, romel ic akmayofil ebs sazogadoebis gonivrul motxovnil ebebs”.

7. kanonis me-4 muxl is v) qvepunqti Camoyal ibdes Semdegi redaqqi iT:

“v) “gaqiraveba” _ nawarmoebis, momij nave ufl ebis obieqtis an monacemTa bazis original is an asl is sazogadoebis saTvis droebiT sargebl obasi gadacema pirdapiri an arapirdapiri mogebis miRebis mizni T”.

8. kanonis me-4 muxl is i) qvepunqti Camoyal ibdes Semdegi redaqqi iT:

“i) “kabel iT gadacema” _ xmebis, gamosaxul ebebis an xmebisa da gamosaxul ebebis gadacema sadeniT, optikuri boWkos an sxva anal ogiuri saSual ebiT, sazogadoebis mier miRebis mizni T”.

9. kanonis me-4 muxl s daematos Semdegi Sinaarsis i¹⁾ qvepunqti:

“i¹⁾ “kabel iT xel axal i gadacema” _ erTdrouli, Seucvli el i da Seukvecavi xel axal i gadacema kabel iT an mikrotal Ruri sistemis meSveobiT sazogadoebis mier mistvis gankuTvnil i tel e da radio programebis sawyisi gadacemis miRebis mizniT sadeniT an sahaero gziT, satel ituri kavSiris CaTvl iT”.

10. kanonis me-4 muxl is l) qvepunqti Camoyal ibdes Semdegi redaqqi iT:

“l) “eTerSi gadacema” _ xmebis, gamosaxul ebebis an xmebisa da gamosaxul ebebis gadacema usadeno kavSiringabmul obiT, maT Soris Tanamgzavris meSveobiT sazogadoebis mier miRebis mizni T. (“Tanamgzavri” niSnavs yvel a Tanamgzavrs, romel ic muSaobs sixSireTa im diapazonSi, romel ic tel esakomunikacio wesebis mixedvit gankuTvnil ia sazogadoebis saTvis misawodebel i samauwyeblo signal ebis saTvis. “Tanamgzavris meSveobiT gadacema” gulisxmobs programebis matarebel i signal ebis miRebas mauwyebi obis organizaciis kontrol isa da pasuxismgebl obis pirobebSi. sazogadoebis saTvis gankuTvnil i programebi miReba kavSiris uwyveti jaWvis saxiT _ zeviT satel itisa da qvevit dedamiwis mimarTul ebiT). kodirebul i signal ebis gadacema warmoadgens eTerSi gadacemas, Tu dekodirebis saSual ebebi sazogadoebas miwodeba saetero mauwyebi obis organizaciis mier an misi TanxmobiT”.

11. kanonis me-4 muxl is m) qvepunqti Camoyal ibdes Semdegi redaqqi iT:

“m) mauwyebi obis organizaciis gadacema _ xmebis, gamosaxul ebebis an xmebisa da gamosaxul ebebis erTobl ioba, romel ic gadaicema eTerSi an kabel iT da gankuTvnil ia teqniki saSual ebebis meSveobiT sazogadoebis mier misaRebad”.

12. kanonis me-4 muxl is n) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“n) "monacemTa baza" _ sistemuri an meToduri wesiT ganl agebul i nawarmoebis, monacemebisa an sxva masal is krebul i, romel ic individual urad xel misawvdomia el eqtronul i an sxva saSual ebebiT. termini ar moicavs kompiuterul programas, romel ic gamoiyeneba el eqtronul i saSual ebebiT xel misawvdomi monacemTa bazis Seqmnisa da gamoyenebis dros”.

13. kanonis me-4 muxl is o) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“o) "reproducireba" _ nawarmoebis, momij nave ufl ebis obieqtis an monacemTa bazis pirdapir an arapirdapir, mTli anad an misi nawil is erti an ertze meti asl is damzadeba nebismeri saSual ebiTa da formiT, maT Soris, xmis da videoCanaweris formiT. reproducirebad aseve CaiTvl eba Cawera droebiTi an mudmivi SenaxvisaTvis, el eqtronul i (cifrul is CaTvl iT), optikuri an manqaniT wakiTxvadi sxva formiT.”

14. kanonis me-4 muxl s daematos Semdegi Sinaarsis o¹) qvepunqti:

“o¹) droebiTi asl i – nawarmoebis, Sesrul ebis Canaweris, fonogramis, videogramis, monacemTa bazis an mauwyebel obis organizaciis gadacemis Canaweris droebiTi asl i, romel ic SemTxveviti an aucil ebel ia, warmoadgens teqniki procesis aucil ebel da mniSvel ovan nawil s da aseTi droebiTi asl is ertaderTi mizania uzrunvel yos obieqtis qsel Si gadacema mesame pirebs Soris nawarmoebis an/da momij nave ufl ebebis obieqtebis Sual eduri an kanonieri gamoyenebisas, da aseT droebiT asl s ar aqvs damoukidebel i komerciul i xasiaTi.”

15. kanonis me-4 muxl is p) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“p) “reprografiul i gamravleba (asl is gadaReba)” _ weril obiTi an grafikul i saSual ebiT gamoxatul i nawarmoebis, monacemebis an sxva masal is original is an asl is faqsimil uri reproducireba nebismeri zomIT, fotokopirebis an sxva teqniki saSual ebis gamoyenebiT. reprografiul i gamravlebad ar CaiTvl eba Cawera el eqtronul i (cifrul is CaTvl iT), optikuri an manqaniT wakiTxvadi sxva formiT.”

16. kanonis me-4 muxl is J) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“J) “saj aro gadacema” _ nawarmoebis, Sesrul ebis, fonogramis, videogramis, monacemTa bazis, mauwyebel obis organizaciis gadacemis gamosaxul ebis an/da xmis gadacema eTerSi, kabel iT an sxva saSual ebiT (garda nawarmoebis an fonogramis asl ebis gavrcel ebisa) ise, rom gadacemis gamosaxul eba an/da xma SeiZl eba aRqmul iqnes im pirTa mier, roml ebiC ar miekuTvnebian oj axis an oj axis axl obel Ta wres, adgil ze (adgil ebze), roml is (romel Ta) daSorebac gadacemis adgil idan iseTia, rom aseTi gadacemis gareSe gamosaxul eba an/da xma ar SeiZl eba aRqmul iqnes miTitebul adgil ze (adgil ebze), maT Soris, ise, rom saavtoro da momij nave ufl ebis obieqtebi, monacemTa bazebi xel misawvdomi iyos sazogadoebis warmomadgenel TaTvis maT mier arCeul dros da adgil idan.”

17. kanonis me-4 muxl is t) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“t) teqnol ogiuri saSual eba _ nebismeri teqnol ogia, mowyobil oba an misi komponenti, romel ic misi normal uri

funციონირების სასაუბროები თავიდან იქნება ან ურუდავს იმ მომდებებს, რომლებიც არ არის ნებადართული ამ კანონით დაცული საავტორო ან სხვა უფლებების მფლობელის მიერ; ტექნოლოგიური სასაუბროება “მოყმედება” ცაიტილებს, თუ დაცული ნაწარმების ან სხვა ობიექტის გამოყენებას უფლებათა მფლობელი აკონტროლებს მათთან უდომის კონტროლისა და მისი დაცვის (დასაფრვის, კოპირების სერუდვისა და სხვა გზით) იმ პროცესების შესახებ, რომლებიც დაცვის მიზანს ემსახურებიან”.

18. კანონის მე-4 მუხლის დადგენილებით სინარსის ტ) ვეპუნქტი:

“ტ) ტექნოლოგიური სასაუბროების გვერდის ავლით – მოწყობილობების, კომპონენტების ან/და სხვა სასაუბროების გამოყენება ტექნოლოგიური სასაუბროების ნეიტრალიზაციისათვის”

19. კანონის მე-4 მუხლის უ) ვეპუნქტი ამოყალიბდეს შემდეგი რედაქციით:

“უ) უფლებების მართვის ინფორმაცია – ნებისმიერი ინფორმაცია, რომელიც მიუთითებულა უფლებათა მფლობელი და რომელიც აქდნს ნაწარმების ან ამ კანონით დაცული სხვა ობიექტის, ავტორის ან უფლებათა სხვა მფლობელის იდენტიფიცირებას, ან ინფორმაცია ნაწარმების ან ამ კანონით დაცული სხვა ობიექტის გამოყენების პროცესების შესახებ და ნებისმიერი ციფრები და კოდეები, რომლებიც მოცემულია ამგვარი ინფორმაცია, როდესაც ამ ინფორმაციის ნებისმიერი ელემენტი არის ნაწარმების ან ამ კანონით დაცული სხვა ობიექტის ასლი ან კნება, ამ კანონით დაცული ნაწარმების ან ამ კანონით დაცული სხვა ობიექტის საჯარო გახდის დროს.”

20. კანონის მე-4 მუხლის ფ) ვეპუნქტი ამოყალიბდეს შემდეგი რედაქციით:

“ფ) ფონოგრამა – შესრულების ხმების, სხვა ხმების ან ხმების გამოხატულების ფიქსაცია. ტერმინი არ მოიცავს აუდიოვიზუალურ ნაწარმებს ცართული ხმების ჩანაწერებს”.

21. კანონის მე-4 მუხლის რ) ვეპუნქტი ამოყალიბდეს შემდეგი რედაქციით:

“რ) “ჩაწერა” – გამოსახულების ან/და ხმის ფიქსაცია რაიმე ობიექტური ფორმით, რაც ტექნიკური სასაუბროების გამოყენებით მათი არჩმის, რეპროდუცირებისა და გადამცემის სასაუბროებას იწვევს”.

22. კანონის მე-4 მუხლის ყ) ვეპუნქტი ამოყალიბდეს შემდეგი რედაქციით:

“ყ) “სემსრული” – მსახიობი (თეატრის, კინოს და ა.ს.), მომწოდებელი, მუსიკოსი, მოცეკვავი ან სხვა პირი, რომელიც თანაშობის როლს, კითხვით, მწერის, აქდნს დეკლამირებას, უკრავს მუსიკალურ ინსტრუმენტზე ან სხვაგვარად ასრულებს ლიტერატურის ან ხელოვნების ნაწარმებს, საეზრადო, საცირკო, ტოჯინურ ან ფოლკლორულ ნომებს”

23. კანონის მე-5 მუხლის მე-2 პუნქტი ამოყალიბდეს შემდეგი რედაქციით:

“2. საავტორო უფლებათა ვრცელდება ნაწარმებზე, რომელიც არსებობს ობიექტური ფორმით, მიუხედავად იმისა მოხდა თუ არა მისი გამოყენება ან საჯარო გახდობა.”

24. კანონის მე-6 მუხლის პირველი პუნქტის დ) ვეპუნქტი ამოყალიბდეს შემდეგი რედაქციით:

“დ) აუდიოვიზუალური ნაწარმები;”

25. კანონის მე-6 მუხლის პირველი პუნქტის მ) ვეპუნქტი ამოყალიბდეს შემდეგი რედაქციით:

“m) Sedgenil i nawarmoebi, kerZod, krebul i, encikl opedia, anTol ogia, monacemTa baza da sxva nawarmoebi, romelic masalis SerCevisa da ganlagebis mixedvit intel eqtual ur-SemoqmedebiT saqmianobis Sedegs warmoadgens”.

26. kanonis me-9 muxl idan amoRebul iqnes me-3 punqti.

27. kanonis me-9 muxl is me-4 punqtis g) qvepunqti Camoyal ibdes Semdegi redaqqi iT:

“g) nawarmoebis pirveli gamoqveynebis weli.”

28. kanons daematos Semdegi Sinaarsis me-9¹ muxl i:

“muxl i 9¹. nawarmoebis registracia

1. avtors an saavtoro ufl ebis sxva mfl obel s, nawarmoebis original is an asl is deponirebiT, ufl eba aqvs nawarmoebi registraciaSi gaataros “saqpatentis” reestrSi. registraciis Sedegad “saqpatentis” mier gacemul i mowmoba adasturebs nawarmoebis registraciis faqts da warmoSobs avtorobis prezumcias.

2. nawarmoebis “saqpatentSi” registraciisas ganmcxadebl is mier dacul unda iyos saregistracio nawarmoebTan dakavSirebul i sxva pirebis saavtoro an sxva ufl ebebi.

3. “saqpatentSi” ganmcxadebl is mier saregistraci od warmodgenil i dokumentaciis sizustesa da utyuarobaze pasuxismgebel ia ganmcxadebel i.

4. Tu “saqpatentSi” saregistraci od nawarmoebs waradgens avtoris memkvidre, ufl ebamonacvl e an sxva piri, romelic fl obs saavtoro ufl ebebs gancxadebas Tan unda daerTos memkvidreobis, ufl ebamonacvl eobis an saavtoro ufl ebebis fl obis damadasturebel i dokumenti.

5. “saqpatentSi” nawarmoebis warmomadgenl is meSveobi T registraciisas gancxadebas Tan unda daerTos, agreTve, warmomadgenl obis damadasturebel i dokumenti.

6. “saqpatentis” mier am muxl is Tanaxmad ganxorciel ebul registraciasTan dakavSirebul i informacia warmoadgens sajaro informacias, garda Tavad nawarmoebi sa.”

29. kanonis me-11 muxl is pirveli punqti Camoyal ibdes Semdegi redaqqi iT:

“1. saavtoro ufl eba nawarmoebze, romelic erTobl ivi intel eqtual ur-SemoqmedebiT saqmianobis Sedegad Seqmna orma an metma pirma (Tanaavtoroba), erTobl ivad ekuTvnis Tanaavtorebs, imis miuxedavad, es nawarmoebi warmoadgens erT ganuyofel mTli anobas, Tu Sedgeba nawil ebisagan, romel Tagan TiToeul s damouki debel i mniSnel oba aqvs. TanaavtorTa urTierToba SeiZl eba ganisazRvros maT Soris dadebul i xel Sekrul ebi T.”

30. kanonis me-11 muxl is me-3 punqti Camoyal ibdes Semdegi redaqqi iT:

“3. TanaavtorTa SeTanxmebi T nawarmoebis gamoqveyneba an sajaro gacnoba SeiZl eba moxdes erTobl ivi, saziaro fsevdonimi T.”

31. kanonis me-15 muxl is me-2 punqti Camoyal ibdes Semdegi redaqqi iT:

“2. audiovizual uri nawarmoebis Seqmnis Taobaze xel Sekrul ebis dadeba iwvevs avtorTa (TanaavtorTa) mier am nawarmoebis gamoyenebis

gansakuTrebuli ufl ebis gadacemas audiovizual uri nawarmoebis damamzadebl isaTvis, Tu xel Sekrul ebiT sxva ram ar aris gaTval iswinebul i. am nawarmoebis avtorebs (Tanaavtorebs) unarCundebaT ufl eba miRon honorari mosargebl eebisagan (mauwyebl obis organizaciebisagan, kinoTeatrebisagan da a.S.), nawarmoebis nebsmieri saxiT gamoyenebisatvis da xel Sekrul ebiT sxvagvari SeTanxmeba audiovizual uri nawarmoebis damamzadebl sa da avtorebs Soris baTilia. am ufl ebis ganxorciel eba xdeba mxol od qonebrivi ufl ebebis kol eqtiur safuZvel ze mmarTveli organizaciis meSveobiT, garda im SemTxvevisa, rodesac avtorsa (Tanaavtorebs) da audiovizual uri nawarmoebis damamzadebel s Soris xel Sekrul ebiT sxva ram aris gaTval iswinebul i, risi damadasturebel i dokumentaciis qonebrivi ufl ebebis kol eqtiur safuZvel ze mmarTveli organizaciisatvis wardgenis val debul eba ekisreba mosargebl es.”

32. kanonis me-16 muxl is pirveli punqti Camoyal ibdes Semdegi redaqqiit:

“1. saavtoro ufl eba nawarmoebze, romelic Seqmnil ia samuSaos mimcemis uSual o samsaxurebrivi daval ebis Sesrul ebis wesiT (samsaxurebrivi nawarmoebi), ekuTvnis samsaxurebrivi nawarmoebis avtors, Tu xel Sekrul ebiT sxva ram ar aris gaTval iswinebul i.”

33. amoRebul iqnes kanonis me-16 muxl is me-2 punqti.

34. kanonis me-16 muxl is me-3 punqti Camoyal ibdes Semdegi redaqqiit:

“3. samsaxurebrivi daval ebis Sedegad Seqmnil kompiuterul programaze yvel a qonebrivi ufl eba ekuTvnis samuSaos mimcems, Tu xel Sekrul ebiT sxva ram ar aris gaTval iswinebul i.”

35. amoRebul iqnes kanonis me-16 muxl is me-8 punqti.

36. kanonis me-17 muxl is pirveli punqtis g) qvepunqti Camoyal ibdes Semdegi redaqqiit:

"g) gadawyitos rodis, sad da ra formiT gaxados cnobili nawarmoebis Seqmnis faqti".

37. kanonis me-17 muxl is me-2 punqti Camoyal ibdes Semdegi redaqqiit:

“2. am muxl is pirveli punqtis z) qvepunqtiT gaTval iswinebul i ufl ebis ganxorciel eba xdeba avtoris xarjze. avtorma nawarmoebis mosargebl es unda aunazRauros miyenebul i ziani, miuRebel i mogebis CaTvl iT. avtors agreTve ufl eba aqvs, samoqal aqo brunvidan Tavisi xarj ebiT amoiRos gayidvis an gaqiravebis anda sakuTrebis an mfl obel obis sxva formiT gadacemis mizniT adre damzadebul i nawarmoebis asl ebi.”

38. kanonis me-18 muxl is me-2 punqtis b) qvepunqti Camoyal ibdes Semdegi redaqqiit:

“b) nawarmoebis original is an asl ebis sazogadoebaSi gavrcel eba gayidvis an sakuTrebis sxva formiT gadacemis gziT (gavrcel ebis ufl eba).”

39. kanonis me-18 muxl is me-2 punqtis g) qvepunqti Camoyal ibdes Semdegi redaqqiit:

“g) nawarmoebis asl ebis importireba gayidvis an gaqiravebis anda sakuTrebis an mfl obel obis sxva formiT gadacemis mizniT, im asl ebis CaTvl iT, roml ebic damzadebul ia avtoris an saavtoro ufl ebis sxva mfl obel is TanxmobiT (importis ufl eba).”

40. kanonis me-18 muxl is me-2 punqtis v) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“v) nawarmoebis saj aro gadacema, pirvel i an/da xel axal i gadacemis CaTvl iT. agreTve, nawarmoebis gadacema sadenebiT anda umavTul o kavSirgabmul obis meSveobiT ise, rom is xel misawvdomi iyos sazogadoebis warmomadgenl ebisatvis maT mier arCeul dros da adgil idan (saj aro gadacemis ufl eba).”

41. kanonis me-18 muxl is me-2 punqts daematos Semdegi Sinaarsis i) qvepunqti:

“i) “nawarmoebis original is an asl ebis gaqiraveba an mfl obel obis sxva formiT gadacema”.

42. kanonis me-18 muxl is me-2 punqts daematos Semdegi Sinaarsis k) qvepunqti:

“k) nawarmoebis sxvagvari gamoyeneba.”

43. kanonis me-18 muxl is me-4 punqti Camoyal ibdes Semdegi redaqqiiT:

“4. saqarTvel oSi avtoris mier an misi TanxmobiT nawarmoebis asl ebis pirvel i gayidviT, amoiwureba saqarTvel os fargl ebSi maTi Semdgomi gavrCel ebis kontrol is ufl eba.”

44. kanonis me-18 muxl is me-5 punqti Camoyal ibdes Semdegi redaqqiiT:

“5. notebiT gamoxatul i musikal uri nawarmoebis, audiovizual uri nawarmoebis, kompiuterul i programis, monacemTa bazis, fonogramaze an videogramaze Caweril i nawarmoebis avtorebs an saavtoro ufl ebaTa sxva mfl obel ebs ekuTvniT aRniSnul nawarmoebTa original is an asl ebis gaqiravebis da mfl obel obis sxva formiT gadacemis gansakuTrebul i ufl eba, am original ze an asl ebze sakuTrebis ufl ebis miuxedavad.”

45. kanonis me-18 muxl is me-7 punqti Camoyal ibdes Semdegi redaqqiiT:

“7. saavtoro honoraris odenoba, misi gamoangariSebisa da gadaxdis wesi nawarmoebis nebismeri formiT gamoyenebisaTvis dgindeba erTi mxriv avtors, saavtoro ufl ebis sxva mfl obel sa an qonebrivi ufl ebis kol eqtiur safuZvel ze mmarTvel organizaciasa da, meore mxriv, mosargebl es Soris dadebul i xel Sekrul ebiT. nawarmoebis kabel iT xel axal i gadacemis SemTxvevaSi saavtoro honoraris odenoba, misi gamoangariSebisa da gadaxdis wesi dgindeba mxol od qonebrivi ufl ebis kol eqtiur safuZvel ze mmarTvel organizaciasa da mosargebl es Soris dadebul i xel Sekrul ebiT. Tu qonebrivi ufl ebis kol eqtiur safuZvel ze mmarTvel i organizacia da mosargebl e ver miaRweven SeTanxmebas, honoraris odenobas, misi gamoangariSebisa da gadaxdis wess erT-erTi mxaris an mxareebis mmarTvis safuZvel ze gansazRvavs “saqpatenti”.”

46. kanonis me-18 muxl is me-8 punqti Camoyal ibdes Semdegi redaqqiiT:

"8. pirs, romel ic saavtoro ufl ebis vadis gasvl is Semdeg gamoqveynebis an saj aro gacnobis gziT pirvel ad gaxdis sazogadoebisaTvis xel misawvdoms nawarmoebs, roml is gamoqveyneba an saj aro gacnoba adre ar momxdara, am nawarmoebze warmoeSoba am muxl is me-2 punqtiT gaTval iswinebul i qonebrivi ufl ebebi."

47. kanonis me-19 muxl is pirvel i punqtis b) qvepunqti Camoyal ibdes Semdegi redaqqiit:

"b) kompiuterul i programis programirebis erTi enidan meore enaze Targmna, adaptireba, sistematzeba an sxvagvari cvl il eba da miRebul i Sedegebis reproducireba im piris ufl ebebis dacviT, romel ic cvl is kompiuterul i programas".

48. amoRebul iqnes kanonis me-19 muxl is pirvel i punqtis g) qvepunqti.

49. kanonis me-19 muxl is me-2 punqtis b) qvepunqti Camoyal ibdes Semdegi redaqqiit:

"b) monacemTa bazis Targmna, adaptireba, sistematzeba an sxvagvari cvl il eba da miRebul i Sedegebis reproducireba, gavrcel eba, saj aro gadacema, Cveneba an Sesrul eba".

50. amoRebul iqnes kanonis me-19 muxl is me-2 punqtis g) qvepunqti.

51. kanonis me-20 muxl is me-2 punqti Camoyal ibdes Semdegi redaqqiit:

"2. saxviTi xel ovnebis da fotografiul i nawarmoebis original is pirvel ad gasxvisebis Semdeg misi yovel i momdevno gayidvis SemTxvevaSi, maT Soris profesional i Suamavl ebis (samxatvro sal oni, saxviTi xel ovnebis gal erea da sxva) meSveobiT avtors an mis memkvidreebs ufl eba aqvT miiRon gamyidvel isagan honorari Semdegi odenobiT:

a) Tu gasayidi fasia 500 l aridan 100 000 l aramde _ 4%;

b) Tu gasayidi fasia 100 000,01 l aridan 400 000 l aramde _ 4000 l ars + 100 000,01 l ars zemoT Tanxis 3%;

g) Tu gasayidi fasia 400 000,01 l aridan 700 000 l aramde _ 13000 l ars + 400 000,01 l ars zemoT Tanxis 1%;

d) Tu gasayidi fasia 700 000,01 l aridan 1 000 000 l aramde _ 16000 l ars + 700 000,01 l ars zemoT Tanxis 0,5%;

e) Tu gasayidi fasia 1 000 000 l arze meti _ 17500 l ars + 1 000 000 l ars zemoT Tanxis 0,25%."

52. kanonis me-20 muxl is me-3 punqti Camoyal ibdes Semdegi redaqqiit:

"3. am muxl is me-2 punqtiT dadgenil i honoraris Segroveba xorciel deba qonebrivi ufl ebebis kol eqtiur safuZvel ze mmarTvel i organizaciis meSveobiT, roml is moTxovnis safuZvel zec saxviTi xel ovnebis an fotografiul i nawarmoebis gamyidvel ebi val debul i arian warudginon mas informacia gayidvebis Sesaxeb. am muxl is me-2 punqtiT dagenil i honorari ar moicavs saxel mwifo gadasaxadebs da is ar unda aRematebodes 25 000 l ars."

53. kanonis me-20 muxl s daematos Semdegi Sinaarsis me-4 punqti:

"4. am muxl is miznebisatvis, me-2 punqtSi aRniSnul saxviTi xel ovnebis da fotografiul i nawarmoebis original s uTanabrdeba

avtoris mier an misi nebarTviT SezRudul i raodenobiT damzadebul i original is asl ebi.”

54. kanonis me-20 muxl s daematos Semdegi Sinaarsis me-5 punqti:

“5. dauSvebel ia am muxl is me-2 punqtiT gaTval iswinebul i ufl ebis gasxviseba avtoris sicocxl eSi. is kanoniT an anderZiT memkvadreobis wesiT gadadis mxol od avtoris memkvadreebze saavtoro ufl ebis moqmedebis vadiT.”

55. kanonis 21-e muxl is pirvel i punqti Camoyal ibdes Semdegi redaqqiit:

“1. daSvebul ia marTi zomierad gamoqveynebis an saj aro gacnobis gziT sazogadoebisaTvis xel misawvdomi nawarmoebis reproducireba fizikur pirTa mier mxol od piradi sargebl obisaTvis avtoris an saavtoro ufl ebis sxva mfl obel is Tanxmobisa da mistvis saavtoro honoraris gadaxdis gareSe, garda am muxl is me-2 da me-3 punqtebiT gaTval iswinebul i SemTxvevebis sa.”

56. kanonis 21-e muxl is me-2 punqtis b) qvepunqti Camoyal ibdes Semdegi redaqqiit:

“b) el eqtronul i monacemTa bazebis reproducirebisas, garda am kanonis 28-e da 30-e muxl ebiT gaTval iswinebul i SemTxvevebis sa”.

57. kanonis 21-e muxl s daematos Semdegi Sinaarsis me-10 punqti:

“10. saavtoro ufl ebebiT dacul i nawarmoebebis am kanoniT gaTval iswinebul i reproducirebis ufl eba ar vrcel deba droebiT asl ze.”

58. kanonis 21-e muxl is me-2 punqtis e) qvepunqti Camoyal ibdes Semdegi redaqqiit:

“e) audiovizual uri nawarmoebis, fonogramaze an videogramaze Caweril i nawarmoebis reproducirebisas.”

59. kanonis 21-e muxl is me-6 punqti Camoyal ibdes Semdegi redaqqiit:

“6. honoraris odenoba da gadaxdis wesi ganisazRvreba, erTi mxriv, aRniSnul mwarmoebel ebsa an importiorebs da, meore mxriv, erT-erT im organizacias Soris SeTanxmebiT, roml ebic kol eqtiur safuZvel ze marTaven avtorTa, Semsrul ebel Ta da fonogramebis damamzadebel Ta qonebriv ufl ebebs. Tu mxareebi ver miaRweven SeTanxmebas, honoraris odenobas, misi gamoangariSebisa da gadaxdis wess erT-erTi mxaris an mxareebis mimarTvis safuZvel ze gansazRvravs “saqpatenti”.”

60. kanonis 21-e muxl is me-7 punqti Camoyal ibdes Semdegi redaqqiit:

“7. honorari nawil deba im nawarmoebTa avtorebsa da saavtoro da momij nave ufl ebaTa sxva mfl obel ebs Soris, roml ebic miTiTebul ia am muxl is me-3 da me-5 punqtebSi.”

61. kanonis 22-e muxl is a) qvepunqti punqti Camoyal ibdes Semdegi redaqqiit:

“a) erTeul asl ad, marTi zomierad gamoqveynebul i nawarmoebebis ganadgurebul i, dakargul i an sargebl obisaTvis gamousadegari asl ebis Sesacvl el ad bibliotekebisa da arqivebis mier; sxva bibliotekebis fondebidan dakargul i, ganadgurebul i an sargebl obisaTvis

gamousadegari asl ebis Sesacvl el ad am bibl ioTekebisaTvis gadacemis mizniT, Tu aseTi asl ebis miReba Cveul ebriv pirobebSi sxva gziT SeuZl ebel ia”.

62. kanonis 22-e muxl is b) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“b) erTeul asl ad, marTI zomierad gamoqveynebul i cal keul i statiebisa da sxva mcire mocul obis nawarmoebebis an weril obiTi nawarmoebis mokl e nawyvetebisa (kompiuterul i programebis garda) bibl ioTekebisa da arqivebis mier, fizikur pirTa moTxovniT, saswavl o, samecniero an piradi mizniT”.

63. kanonis 22-e muxl is g) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“g) marTI zomierad gamoqveynebul i cal keul i statiebisa da sxva mcire mocul obis nawarmoebebis an weril obiTi nawarmoebis mokl e nawyvetebisa (kompiuterul i programebis garda) saganmanaTI ebl o dawesebul ebebis mier, mecadineobisaTvis”.

64. kanonis 23-e muxl is a) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“a) marTI zomierad gamoqveynebis an sajaro gacnobis gziT sazogadoebisaTvis xel misawvdomi nawarmoebebidan citireba samecniero, kvl eviTi pol emikuri, kritikul i da sainformacio miznebisatvis, mxol od im mocul obiT, romel ic gamarTI ebul ia citirebis mizniT, gazeTebidan da Jurnal ebidan mokl e nawyvetebis beWvdiTi mimoxil visaTvis reproduci rebis CaTvl iT”.

65. kanonis 23-e muxl is b) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“b) marTI zomierad gamoqveynebis an sajaro gacnobis gziT sazogadoebisaTvis xel misawvdomi nawarmoebebidan mokl e nawyvetebis gamoyeneba il ustraciis saxiT, gamocemebSi, radio da tel egadacemebSi, saswavl o xasiaTis fono da videoCanawerebSi, mxol od im mocul obiT, romel ic gansazRvrul ia dasaxul i mizniT”.

66. kanonis 23-e muxl is g) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“g) mimdinare ekonomikur, politikur, social ur da religiur sakiTxebe, periodul gamocemebis meSveobiT marTI zomierad gamoqveynebis an sajaro gacnobis gziT sazogadoebisaTvis xel misawvdomi statiebis an sajarod gadacemul i msgavsi Sinaarsis nawarmoebebis reproduci rebes Jurnal -gazeTebis meSveobiT an sajaro gadacema mxol od im SemTxvevaSi, rodesac aseTi reproduci rebes an sajaro gadacema special urad ar aris akrZal ul i avtoris an saavtoro ufl ebis sxva mfl obel is mier. amastan, avtors unarCundebe aseTi nawarmoebis krebul Si gamoqveynebis ufl eba”.

67. kanonis 23-e muxl is e) qvepunqti punqti Camoyal ibdes Semdegi redaqqiiT:

“e) sajarod warmotqmul i politikuri moxsenebis, sityvis, l eqciis, mimarTvis, qadagebisa da msgavsi nawarmoebebis, maT Soris, sasamarTI o procesebze warmotqmul i sityvebis reproduci rebes Jurnal -gazeTebisa da sxva periodul i gamocemebis meSveobiT an sajaro gadacema, mxol od im mocul obiT, romel ic gamarTI ebul ia sainformacio mizniT. amastan, avtors unarCundebe aseT nawarmoebTa cal ke krebul ad an wignad gamoqveynebis gansakuTrebul i ufl eba”.

68. kanonis 25-e muxl i Camoyal ibdes Semdegi redaqqiiT:

“muxl i 25. musikal uri nawarmoebis saj aro Sesrul eba ceremoniebis dros

daSvebul ia marTI zomierad gamoqveynebis an saj aro gacnobis gziT sazogadoebisaTvis xel misawvdomi musikal uri nawarmoebis saj aro Sesrul eba oficial uri, samgl oviaro da rel igiuri ceremoniebis dros avtoris an saavtoro ufl ebis sxva mfl obel is Tanxmobisa da misTvis saavtoro honoraris gadaxdis gareSe, mxol od im mocul obiT, romel ic gamarTI ebul ia aseTi ceremoniis xasiaTiT.”

69. kanonis 32-e muxl is pirvel i punqti Camoyal ibdes Semdegi redaqqiiT:

“1. saavtoro ufl eba nawarmoebze, roml is gamoqveyneba an saj aro gacnoba moxda fsevdonimiT an anonimurad, moqmedebs 70 wl is ganmavl obaSi am faqtis marTI zomierad dadgomis TariRidan. Tu am vadaSi avtori gaamJRavnebs Tavis vinaobas an Tu misi vinaoba eWvs ar iwevs, gamoiyeneba am kanonis 31-e muxl i.”

70. kanonis 32-e muxl is me-3 punqti Camoyal ibdes Semdegi redaqqiiT:

“3. Tu nawarmoebis gamoqveyneba an saj aro gacnoba xdeba tomebad, nawil ebad, gamoSvebebad an epizodebad, xol o saavtoro ufl ebis dacvis vada aiTvl eba am faqtis marTI zomierad dadgomis TariRidan, es vada gamoiTvl eba TiToeul i aseTi nawarmoebisaTvis.”

71. kanonis 32-e muxl is me-4 punqti Camoyal ibdes Semdegi redaqqiiT:

“4. saavtoro ufl eba am kanonis me-12 da 13-e muxl ebSi aRniSnul nawarmoebze moqmedebs 70 wl is ganmavl obaSi im TariRidan, rodesac moxda maTi marTI zomieri gamoqveyneba an saj aro gacnoba, xol o Tu nawarmoebis gamoqveyneba an saj aro gacnoba ar momxdara _ misi Seqmnis TariRidan.”

72. kanonis 32-e muxl is me-6 punqti Camoyal ibdes Semdegi redaqqiiT:

“6. im piris qonebrivi saavtoro ufl eba, romel mac marTI zomierad ganaxorciel a im nawarmoebis gamoqveyneba an saj aro gacnoba, roml is gamoqveyneba an saj aro gacnoba adre ar momxdara (am kanonis me-18 muxl is me-8 punqti), moqmedebs 25 wl is ganmavl obaSi aseTi faqtis dadgomis TariRidan.”

73. kanonis 33-e muxl is me-3 punqti Camoyal ibdes Semdegi redaqqiiT:

“3. dauSvebel ia nawarmoebis gamoqveyneba an saj aro gacnoba iseTi fsevdonimiT, romel mac SeiZl eba gamoiwvios gamoqveynebis an saj aro gacnobis gziT sazogadoebisaTvis adre xel misawvdomi nawarmoebis avtorTan galgiveba, ramac SesaZl oa SecdomaSi Seiivanos sazogadoeba.”

74. kanonis 34-e muxl is me-2 punqti punqti Camoyal ibdes Semdegi redaqqiiT:

“2. saqarTvel os kanonmdebl obiT SeiZl eba dadgindes special uri anaricxebi saqarTvel os teritoriaze im nawarmoebis gamoyenebisaTvis, romel zedac saavtoro ufl ebis moqmedebis vada gasul ia. aseTi anaricxebidan miRebul i Semosaval i gadaecema avtorTa profesiul fondebs da organizaciebs, roml ebic kol eqtiur safuZvel ze marTaven

avtorTa qonebriv ufl ebebs. anaricxebis odenoba ar unda aRematebodes nawarmoebis gamoyenebis Sedegad miRebul i Semosavl is 3 procentis”.

75. kanonis 35-e muxl is pirvel i punqti Camoyal ibdes Semdegi redaqqiit:

“1. saavtoro ufl eba gadaicema kanoniT an anderZiT memkvidreobis wesiT an xel Sekrul ebiT.”

76. kanonis 36-e muxl i Camoyal ibdes Semdegi redaqqiit:

“muxl i 36. avtoris qonebrivi ufl ebebis gadacema

avtors an saavtoro ufl ebis sxva mfl obel s SeuZl ia yvel a qonebrivi ufl ebebi, an maTi nawil i, gadasces ufl ebamonacvl es.”

77. kanonis 37-e muxl is pirvel i punqti Camoyal ibdes Semdegi redaqqiit:

“1. gansakuTrebul i l icenziis xel Sekrul ebiT avtori an saavtoro ufl ebis sxva mfl obel i mxol od l icenziats aniWebs gansakuTrebul ufl ebas, gamoiyenos nawarmoebi gansazRvrul i saxiT da xel Sekrul ebiT dadgenil fargl ebSi da masve aZl evs ufl ebas akrZal os nawarmoebis amgvari gamoyeneba sxva pirTa (maT Soris, avtoris) mier.”

78. kanonis 38-e muxl is pirvel i punqti Camoyal ibdes Semdegi redaqqiit:

“1. Cveul ebrivi l icenziis xel Sekrul ebiT avtori an saavtoro ufl ebis sxva mfl obel i l icenziats aniWebs ufl ebas gamoiyenos nawarmoebi im pirTa Tanabrad, roml ebmac miRes aseTi nawarmoebis imave saxiT gamoyenebis ufl eba.”

79. kanonis 39-e muxl i Camoyal ibdes Semdegi redaqqiit:

“muxl i 39. nawarmoebis gamoyeneba gansakuTrebul i l icenziis gacemis
Semdeg

gansakuTrebul i l icenziis gacemis SemTxvevaSic ki avtors am nawarmoebis gamoyenebis ufl eba unarCundeba Tavis nawarmoebTa mxol od srul i krebul is gamoqveynebisas, Tu gansakuTrebul i l icenziis gacemis Sedegad im TariRidan, rodesac gamoqveynebis an saj aro gacnobis gziT nawarmoebi gaxda sazogadoebisaTvis xel misawvdomi, gavida 5 wel i. amasTan, avtors ara aqvs ufl eba, gamoiyenos aseTi nawarmoebi srul i krebul isagan damoukidebl ad.”

80. kanonis me-40 muxl i Camoyal ibdes Semdegi redaqqiit:

“muxl i 40. sal icenzio xel Sekrul eba

1. sal icenzio xel Sekrul eba unda iTval iswinebdes: gamosayenebel i nawarmoebis zust aRweras (saxel wodeba, mocul oba, Janri), nawarmoebis gamoyenebis konkretul saxes, xel Sekrul ebis moqmedebis vadas da teritorias, honoraris odenobis gansazRvris wess an honoraris odenobas nawarmoebis gamoyenebis yovel i saxisaTvis, misi gadaxdis wessa da vadas, agreTve sxva pirobebs, roml ebsac mxareebi arsebiTad miCneven.

2. nawarmoebis yvel a im saxiT gamoyenebis ufl eba, romel ic sal icenzio xel Sekrul ebiT pirdapir ar aris gaTval iswinebul i, ekuTvnis avtors an saavtoro ufl ebis sxva mfl obel s.

3. Tu sal icenzio xel Sekrul ebiT ar aris gaTval iswinebul i nawarmoebis gamoyenebis konkretul i saxe, xel Sekrul eba iTvl eba dadebul ad nawarmoebis iseT gamoyenebaze, romel ic SeiZl eba CaiTval os aucil ebl ad mxareTa im ganzraxvis Sesrul ebisaTvis, romel ic maT hqondaT xel Sekrul ebis dadebisas.

4. Tu sal icenzio xel Sekrul ebiT ar aris gaTval iswinebul i xel Sekrul ebis moqmedebis vada, xel Sekrul eba SeiZl eba gaaumqos avtorma an saavtoro ufl ebis sxva mfl obel ma, xel Sekrul ebis dadebidan 3 wl is Semdeg. I icenziats aRniSnul is Taobaze unda ecnobos weril obiT, xel Sekrul ebis gauqmebamde 6 TviT adre.

5. Tu sal icenzio xel Sekrul ebiT ar aris gaTval iswinebul i xel Sekrul ebis moqmedebis teritoria, xel Sekrul eba moqmedebis mxol od saqarTvel os teritoriaze.

6. sal icenzio xel Sekrul ebiT miniWebul i ufl ebebi SeiZl eba mTI ianad an nawil obriv gadaeces sxva pirebs, Tu es pirdapi aris gaTval iswinebul i xel Sekrul ebiT.

7. Tu nawarmoebis reproducirebis Sesaxeb sal icenzio xel Sekrul ebaSi honorari gansazRvrebafiqsirebul i TanxiT, sal icenzio xel Sekrul ebiT dadgenil i unda iyos nawarmoebis maqsimal uri tiraJi.”

81. amoRebul iqnes kanonis 41-e muxl i.

82. kanonis 42-e muxl i Camoyal ibdes Semdegi redaqqiiT:

“muxl i 42. xel Sekrul ebis forma
xel Sekrul eba saavtoro ufl ebebis gadacemis Sesaxeb, xel Sekrul eba nawarmoebis Seqmnis Sesaxeb da sal icenzio xel Sekrul eba unda daidos weril obiT. periodul beWdviT gamocemebsi nawarmoebis gamoyenebis sal icenzio xel Sekrul eba SeiZl eba daidos zepiradac.”

83. kanonis 43-e muxl s daematos me-6 punqti Semdegi redaqqiiT:

“6. baTil ia xel Sekrul ebis is piroba, romel ic zRudavs avtoris ufl ebas, Seqmnas momaval Si nawarmoebi gansazRvrul Temaze an gansazRvrul dargSi.”

84. kanonis 43-e muxl s daematos me-7 punqti Semdegi redaqqiiT:

“7. xel Sekrul ebis sagani ar SeiZl eba iyos im nawarmoebze ufl ebis gadacema, romel ic SeiZl eba momaval Si Seqmnas avtorma.”

85. kanonis 44-e muxl i Camoyal ibdes Semdegi redaqqiiT:

“muxl i 44. zianis anazRaurebis val debul eba mxarem, romel mac ar Seasrul a an araj erovnad Seasrul a avtoris qonebrivi ufl ebebis gadacema, nawarmoebis Seqmnis an sal icenzio xel Sekrul ebiT nakisri val debul eba, meore mxares unda aunazRauros miyenebul i ziani, miuRebel i Semosavl is CaTvl iT.”

86. kanonis VI Tavis saTauri Camoyal ibdes Semdegi redaqqiiT:

“Tavi VI momij nave ufl ebebi”

87. kanonis 46-e muxl is me-4 punqtis g) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“g) fonogramis pirvel i gamoqveynebis weli”.

88. kanonis 47-e muxl is me-2 punqtis b) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“b) fonogramaze Caweril i Sesrul ebis pirdapiri an arapirdapiri reproducireba”.

89. kanonis 47-e muxl is me-2 punqtis g) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“g) Sestrul ebis gadacema eTerSi an kabel iT, garda im SemTxvevebi sa, rodesac xdeba Sestrul ebl is TanxmobiT adre Caweril i an eTerSi adre gadacemul i Sestrul ebis gadacema”.

90. kanonis 47-e muxl is me-2 punqtis e) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“e) fonogramaze Caweril i Sestrul ebis original is an asl ebis gaqiraveba an mfl obel obis sxva formiT gadacema.”

91. kanonis 47-e muxl is me-2 punqts daematos Semdegi Sinaarsis v) qvepunqti:

“v) fonogramaze Caweril i Sestrul ebis original is an asl ebis gavr cel eba gayidvis an sakuTrebi s sxva formiT gadacemis gziT.”.

92. kanonis 47-e muxl is me-2 punqts daematos Semdegi Sinaarsis z) qvepunqti:

“z) fonogramaze Caweril i Sestrul ebis gadacema sadenebiT anda umavTul o kavSirgabmul obis meSveobiT ise, rom is xel misawvdomi iyos sazogadoebis warmomadgenl ebis aTvis maT mier arCeul dros da adgil idan”.

93. kanonis 47-e muxl is me-6 punqti Camoyal ibdes Semdegi redaqqiiT:

“6. saqarTvel oSi Sestrul ebis mier an misi TanxmobiT fonogramis asl ebis pirvel i gayidviT, amoiwureba saqarTvel os fargl ebSi maTi gavr cel ebis kontrol is ufl eba.”

94. kanonis 48-e muxl is me-2 punqtis a) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“a) fonogramis pirdapiri an arapirdapiri reproducireba”.

95. amoRebul iqnes kanonis 48-e muxl is me-2 punqtis b) qvepunqti.

96. kanonis 48-e muxl is me-2 punqtis g) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“g) fonogramis original is an asl ebis gaqiraveba an mfl obel obis sxva formiT gadacema”.

97. kanonis 48-e muxl is me-2 punqtis d) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“d) fonogramis original is an asl ebis gavr cel eba sazogadoebaSi gayidvis an sakuTrebi s sxva formiT gadacemis gziT.”

98. kanonis 48-e muxl is me-2 punqtis e) qvepunqti Camoyal ibdes Semdegi redaqqiiT:

“e) fonogramis asl ebis importireba gayidvis an gaqiravebis anda sakuTrebi s an mfl obel obis sxva formiT gadacemis mizniT, im asl ebis CaTvl iT, roml ebic damzadebul ia fonogramis damamzadebl is TanxmobiT”.

99. kanonis 48-e muxl is me-2 punqts daematos Semdegi Sinaarsis v) qvepunqti:

“v) fonogramis gadacema sadenebiT anda umavTul o kavSirgabmul obis meSveobiT ise, rom is xel misawvdomi iyos sazogadoebis warmomadgenl ebisatvis maT mier arCeul dros da adgil idan”.

100. kanonis 48-e muxl s daematos Semdegi Sinaarsis me-4 punqti:

“4. saqarTvel oSi fonogramis damamzadebl is mier an misi TanxmobiT fonogramis asl ebis pirveli gayidviT, amoiwureba saqarTvel os fargl ebSi maTi gavrcel ebis kontrol is ufl eba.”

101. kanonis 49-e muxl is me-2 punqtis a) qvepunqti Camoyal ibdes Semdegi redaqqi iT:

“a) videogramis pirdapiri an arapirdapiri reproducireba”.

102. amORebul iqnes kanonis 49-e muxl is me-2 punqtis b) qvepunqti.

103. kanonis 49-e muxl is me-2 punqtis g) qvepunqti Camoyal ibdes Semdegi redaqqi iT:

“g) videogramis original is an asl ebis gaqiraveba an mfl obel obis sxva formiT gadacema”.

104. kanonis 49-e muxl is me-2 punqtis d) qvepunqti Camoyal ibdes Semdegi redaqqi iT:

“d) videogramis original is an asl ebis gavrcel eba sazogadoebaSi gayidvis an sakuTrebis sxva formiT gadacemis gziT.”

105. kanonis 49-e muxl is me-2 punqtis e) qvepunqti Camoyal ibdes Semdegi redaqqi iT:

“e) videogramis asl ebis importireba gayidvis an gaqiravebis anda sakuTrebis an mfl obel obis sxva formiT gadacemis mizniT, im asl ebis CaTvl iT, roml ebic damzadebul ia videogramis damamzadebl is TanxmobiT”

106. kanonis 49-e muxl is me-2 punqts daematos Semdegi Sinaarsis v) qvepunqti:

“v) videogramis gadacema sadenebiT anda umavTul o kavSirgabmul obis meSveobiT ise, rom is xel misawvdomi iyos sazogadoebis warmomadgenl ebisatvis maT mier arCeul i dros da adgil idan”.

107. kanonis 49-e muxl s daematos Semdegi Sinaarsis me-4 punqti:

“4. saqarTvel oSi videogramis damamzadebl is mier an misi TanxmobiT videogramis asl ebis pirveli gayidviT, amoiwureba saqarTvel os fargl ebSi maTi gavrcel ebis kontrol is ufl eba.”

108. kanonis 50-e muxl is me-2 punqtis g) qvepunqti Camoyal ibdes Semdegi redaqqi iT:

“g) gadacemis erTdroul i gadacema eTerSi da kabel iT xel axal i gadacema, Sesabamisad, saeTero da sakabel o mauwyebel obis sxva organizaci is mier”.

109. kanonis 50-e muxl is me-2 punqtis v) qvepunqti Camoyal ibdes Semdegi redaqqi iT:

“v) gadacemis Canaweris gavrcel eba sazogadoebaSi gayidvis an sakuTrebis sxva formiT gadacemis gziT”

110. kanonis 50-e muxl is me-2 punqts daematos Semdegi Sinaarsis z) qvepunqti:

“z) gadacemis Canaweris gaqiraveba an mfl obel obis sxva formiT gadacema.”

111. kanonis 50-e muxl is me-2 punqts daematos Semdegi Sinaarsis T) qvepunqti:

“T) gadacemis Canaweris gadacema sadenebiT anda umavTul o kavSirgabmul obis meSveobiT ise, rom is xel misawvdomi iyos sazogadoebis warmomadgenl ebisaTvis maT mier arCeul dros da adgil idan”.

112. kanonis 51-e muxl s daematos Semdegi Sinaarsis me-4 punqti:

“4. momij nave ufl ebebiT dacul i obieqtebis am kanoniT gaTval iswinebul i reproducirebis ufl eba ar vrcel deba droebiT asl ze.”

113. kanonis 52-e muxl is saTauri Camoyal ibdes Semdegi redaqqi iT:

“muxl i 52. mogebis miRebis mizniT gamoqveynebul i fonogramis gamoyeneba”.

114. kanonis 52-e muxl is pirvel punqti Camoyal ibdes Semdegi redaqqi iT:

“1. daSvebul ia mogebis miRebis mizniT gamoqveynebul i fonogramis damamzadebl is da aseT fonogramaze Caweril i nawarmoebis Semsrul ebl is Tanxmobis gareSe, magram honoraris gadaxdiT:

a) fonogramis saj aro Semsrul eba;

b) fonogramis gadacema eTerSi, kabel iT an kabel iT xel axal i gadacema”.

115. kanonis 52-e muxl is me-3 punqti Camoyal ibdes Semdegi redaqqi iT:

“3. honoraris odenoba da gadaxdis wesi ganisazRvreba, erTi mxriv fonogramebiT mosargebl eTa da, meore mxriv, erT-erT im organizacias Soris SeTanxmebiT, roml ebic kol eqtiur safuZvel ze marTaven fonogramebis damamzadebel Ta da Semsrul ebel Ta ufl ebebs. Tu mxareebi ver miaRweven SeTanxmebas, honoraris odenobas, misi gamoangariSebisa da gadaxdis wess erT-erTi mxaris an mxareebis mimarTvis safuZvel ze gansazRvraS “saqpatenti”.”

116. kanonis 52-e muxl s daematos Semdegi Sinaarsis me-5 punqti:

“5. am muxl is miznebisatvis, fonograma, romel ic sazogadoebis warmomadgenl ebisaTvis xel misawvdomi gaxda sadenebiT anda umavTul o kavSirgabmul obis saSual ebiT maT mier arCeul dros da adgil idan, ganixil eba rogorc mogebis miRebis mizniT gamoqveynebul i”.

117. kanonis VII Tavis saTauri Camoyal ibdes Semdegi redaqqi iT:

"Tavi VII. monacemTa bazis damamzadebl is ufl ebebi (sui generis ufl eba)."

118. kanonis 54-e muxl is pirvel i punqti Camoyal ibdes Semdegi redaqqiit:

"1. monacemTa bazis (romelic ar warmoadgens nawarmoebs) damamzadebel i, romelic adasturebs, rom man ganaxorciel a xarixobrivi Tu raodenobrivi Tval sazrisiT arsebiti kapital dabandeba monacemTa bazis Semcvel obis SeZenis, mopovebis, dazustebis an warmodgenis mxriv, sargebl obs gansakuTrebul i ufl ebit, ar dauSvas misi mTl iani Semcvel obis an xarixobrivad an/da raodenobrivad Sefasebul i mniSnel ovani nawil is amoReba an/da xel axal i gamoyeneba."

119. kanonis 54-e muxl is me-2 punqti Camoyal ibdes Semdegi redaqqiit:

"2. am Tavis miznebisaTvis, amoReba gul isxmobs monacemTa bazis mTl iani Semcvel obis an mniSnel ovani nawil is mudmivad an droebiT gadatanas sxva material ur matarebel ze nebismieri saSual ebit Tu formiT, xol o xel axal i gamoyeneba gul isxmobs aRniSnul i matarebel is an misi asl ebis sazogadoebaSi gavr cel ebas, gaqiravebas an mfl obel obis sxva formiT gadacemas an monacemTa bazis mTl iani Semcvel obis an mniSnel ovani nawil is saj aro gacnobas. saqarTvel oSi damamzadebl is mier an misi TanxmobiT monacemTa bazis asl ebis pirvel i gayidvit, amoiwureba saqarTvel os fargl ebSi maTi gavr cel ebis kontrol is ufl eba."

120. kanonis 54-e muxl is me-5 punqti Camoyal ibdes Semdegi redaqqiit:

"5. am muxl is pirvel punqtsi aRniSnul i ufl ebebi Zal aSia, miuxedavad imisa, dacul ia Tu ara am monacemTa bazaSi Semaval i nawarmoebebi, momij nave ufl ebebis obieqtebi da sxva monacemebi da misaRebia, Tu ara misi Sinaarsi. monacemTa bazis dacva am muxl is pirvel punqtsi miTitebul i ufl ebebis Sesabamisad ar unda l axavdes masTan dakavSirebul saavtoro an sxva ufl ebebs."

121. kanons damatos Semdegi Sinaarsis 54¹-e muxl i:

"muxl i 54¹. monacemTa bazis registracia

1. monacemTa bazis damamzadebel s ufl eba aqvs monacemTa baza, misi original is an asl is deponirebit, registraciaSi gaataros "saqpatentis" reestrSi". registraciis Sedegad "saqpatentis" mier gacemul i mowmoba adasturebs monacemTa bazis registraciis faqts.

2. monacemTa bazis "saqpatentSi" registraciisas ganmcxadebl is mier dacul unda iqnes saregistracio monacemTa bazasTan dakavSirebul i saavtoro da sxva ufl ebebi.

3. "saqpatentSi" ganmcxadebl is mier saregistraci od warmodgenil i dokumentaciis sizustesa da utyuarobaze pasuxismgebel ia ganmcxadebel i.

4. Tu "saqpatentSi" saregistraci od monacemTa bazas waradgens damamzadebl is memkvidre, ufl ebamonacvl e an sxva piri, romelic fl obs damamzadebl is ufl ebebs ganmcxadebas Tan unda daerTos memkvidreobis, ufl ebamonacvl eobis an damamzadebl is ufl ebebis fl obis damadasturebel i dokumenti.

5. "saqpatentSi" monacemTa bazis warmomadgenl is meSveobiT registraciisas gancxadebas Tan unda daerTos, agreTve, warmomadgenl obis damadasturebel i dokumenti.

7. "saqpatentis" mier am muxl is Tanaxmad ganxorciel ebul registraciastan dakavSirebul i informacia warmoadgens saj aro informacias, garda Tavad monacemTa bazisa."

122. kanonis 55-e muxl is pirvel i punqti Camoyal ibdes Semdegi redaqqiiT:

"1. Tu monacemTa baza gamoqveynebis an saj aro gacnobis gziT xel misawvdomia sazogadoebisaTvis, damamzadebel s ufl eba ara aqvs aukrZal os monacemTa bazis kanonier mosargebl es monacemTa bazis Semcvel obis xarixobrivad an/da raodenobrivad Sefasebul i umniSvel o nawil ebis amoReba an/da xel axal i gamoyeneba nebismeri mizniT. Tu kanonier mosargebl es aqvs monacemTa bazis nawil is amoRebis an/da xel axal i gamoyenebis ufl eba, es punqti vrcel deba mxol od am nawil ze."

123. kanonis 55-e muxl is me-2 punqti Camoyal ibdes Semdegi redaqqiiT:

"2. gamoqveynebis an saj aro gacnobis gziT sazogadoebisaTvis xel misawvdomi monacemTa bazis kanonieri mosargebl is moqmedeba usafuZvl od ar unda l axavdes monacemTa bazis damamzadebl is kanonier interesebs."

124. kanonis 55-e muxl is me-3 punqti Camoyal ibdes Semdegi redaqqiiT:

"3. gamoqveynebis an saj aro gacnobis gziT sazogadoebisaTvis xel misawvdomi monacemTa bazis kanonierma mosargebl em ar unda Sel axos saavtoro da momij nave ufl ebaTa mfl obel is ufl ebebi monacemTa bazaSi arsebul nawarmoebTan an momij nave ufl ebis obieqtTan dakavSirebiT."

125. kanonis VIII Tavis saTauri Camoyal ibdes Semdegi redaqqiiT:

"Tavi VIII. momij nave ufl ebebis da monacemTa bazis damamzadebl is ufl ebebis moqmedebis vada"

126. kanonis 57-e muxl is pirvel i punqti Camoyal ibdes Semdegi redaqqiiT:

"1. am kanonis 47-e muxl iT gaTval iswinebul i Semsrul ebl is ufl eba moqmedebs 50 wl is ganmavl obaSi pirvel i Sestrul ebidan. Tu am vadaSi Sestrul ebis Canaweri gamoqveynebis an saj aro gacnobis gziT marTI zomierad gaxda xel misawvdomi sazogadoebisaTvis, es vada grZel deba aRniSnul i faqtebidan erT-erTis pirvel ad dadgomidan 50 wl is ganmavl obaSi."

127. kanonis 57-e muxl is me-3 punqti Camoyal ibdes Semdegi redaqqiiT:

"3. am kanonis 48-49-e muxl ebiT gaTval iswinebul i fonogramis an videogramis damamzadebl is ufl eba moqmedebs 50 wl is ganmavl obaSi fonogramis an videogramis pirvel i Caweridan. Tu am vadaSi fonograma an videograma gamoqveynebis an saj aro gacnobis gziT marTI zomierad gaxda xel misawvdomi sazogadoebisaTvis, es vada grZel deba aRniSnul i faqtebidan erT-erTis pirvel ad dadgomidan 50 wl is ganmavl obaSi."

128. kanonis 57-e muxl is me-5 punqti Camoyal ibdes Semdegi redaqqiiT:

"5. am kanonis 54-e muxl iT gaTval iswinebul i monacemTa bazis damamzadebl is ufl eba moqmedebs 15 wl is ganmavl obaSi monacemTa bazis damzadebidan. Tu am vadaSi monacemTa baza gamoqveynebis an saj aro

gacnobis gziT marTI zomierad gaxda xel misawvdomi sazogadoebisaTvis, 15 wel i aiTvl eba aRniSnul i faqtebidan erT-erTis pirvel ad dadgomi dan."

129. kanonis 57-e muxl is me-8 punqti Camoyal ibdes Semdegi redaqqi iT:

"8. am TaviT gaTval iswinebul i ufl ebebi am muxl is pirvel , me-2, me-3, me-4 da me-5 punqtebSi miTiTebul i vadebis moqmedebis ganmavl obaSi, gadadis Semsrul ebl is, fonogramis an videogramis damamzadebl is, mauwebl obis organizaciis da monacemTa bazis damamzadebl is memkvidreebze, xolo iuridiul i piri SemTxvevaSi _ mis ufl ebamonacvl eebze."

130. kanonis IX Tavis saTauri Camoyal ibdes Semdegi redaqqi iT:

"Tavi IX. saavtoro, momij nave da monacemTa bazis damamzadebl is ufl ebaTa dacva"

131. kanonis 58-e muxl i Camoyal ibdes Semdegi redaqqi iT:

"muxl i 58. saavtoro, momij nave da monacemTa bazis damamzadebl is ufl ebaTa darRveva

1. am kanoniT gaTval iswinebul saavtoro, momij nave da monacemTa bazis damamzadebl is ufl ebaTa darRveva iwvevs samoqal aqo, administraciul da sisxl issamarTI ebriv pasuxismgebl obas. aRniSnul i ufl ebebis darRvevisaTvis iuridiul i piri pasuxs agebs samoqal aqo kanonmdebl obis Sesabamisad.

2. fizikuri da iuridiul i piri, romelic ar asrul ebs am kanonis moTxovnebs, iTvl eba saavtoro, momij nave da monacemTa bazis damamzadebl is ufl ebaTa damrRvevad.

3. saavtoro, momij nave da monacemTa bazis damamzadebl is ufl ebaTa darRvevad agreTve CaiTvl eba:

a) nawarmoebis, Semsrul ebis, fonogramis, videogramis, mauwebl obis organizaciis gadacemisa da monacemTa bazis ukanono gamoyeneba;

b) ufl ebis marTvis el eqtronul i informaciis Secvla an waSl a ufl ebis mfl obel is nebarTvis gareSe;

g) Tu nawarmoebi, momij nave ufl ebis obieqti an monacemTa baza xel misawvdomi gaxda sazogadoebisaTvis (sajaro gacnobis, maTi Canaweris aslebis gavrcel ebis, gaqiravebis an mfl obel obis sxva formiT gadacemis gziT), rodesac aRniSnul is ganmaxorciel ebel ma pirma icoda an saTanado safuZveli hqonda scodnoda, rom ufl ebis marTvis Sesaxeb el eqtronul i informacia Secvili an waSlili iqna ufl ebis mfl obel is nebarTvis gareSe;

d) teqnol ogiuri saSual ebebis gverdis avl a;

e) nebismieri iseTi teqnol ogiis, mowyobil obis an komponentis warmoeba, importi, gavrcel eba, gayidva, gaqiraveba an rekl amireba:

roml is samoqal aqo brunvasi CarTva emsaxureba teqnol ogiuri saSual ebebis gverdis avl as;

romel sac aqvs SezRuduli komerciuli mniSveloba da teqnol ogiuri saSual ebebis gverdis avl is garda sxva daniSnul ebit gamoyenebis Sesazl ebl oba;

romelic Tavidanve gankuTvnilia, warmoebulia, gadakeTebulia an Seqmnilia, rom Sesazl ebeli gaxados an xeli Seuwyos teqnol ogiuri saSual ebebis gverdis avl as.

saSual ebebis gverdis avl isaTvis saWiRo masal ebi, mowyobil obebi da komponentebi eqvemdebareba ganadgurebas sasamarTI os gadawyvetil ebis Sesabamisad.

5. CamoRTmevas ar eqvemdebareba mesame pirebis mier marTI zomierad SeZenil i nawarmoebis, fonogramis, videogramis an monacemTa bazis kontrafaqciul i asl ebi, garda im SemTxvevisa, rodesac kontrafaqciul i asl ebi SeZenil ia maTi komerciul i gamoyenebis mizniT.”

134. kanonis 61-e muxl i Camoyal ibdes Semdegi redaqqiIT:

“muxl i 61. saavtoro, momij nave da monacemTa bazis damamzadebl is ufl ebaTa dacvis saqmeze sarCel is uzrunvel yofis saSual ebebi

1. saqmis arsebiTad ganxil vamde sasamarTI os an mosamarTI es erTpirovnul ad SeuZl ia gamoitanos ganCineba, romelic ukrZal avs mopasuxes an pirs, roml is mimarTac arsebobs safuZvl iani varaudi, rom man daarRvia saavtoro, momij nave an monacemTa bazis damamzadebl is ufl ebebi, iseTi moqmedebebis Sesrul ebas, rogoric aris saavtoro da momij nave ufl ebaTa obieqtis, monacemTa bazis an maTi asl ebis damzadeba, reproducireba, gavrcel eba, gayidva, gaqiraveba, importi, saj aro Sesrul eba, saj aro gadacema, saj aro Cveneba an sxvagvari gamoyeneba, agreTve, aseTi moqmedebebis Sesrul ebis mizniT maTi transportireba, Senaxva da fl oba.

2. saqmis arsebiTad ganxil vamde sasamarTI os an mosamarTI es erTpirovnul ad SeuZl ia gamoitanos ganCineba nawarmoebis, momij nave ufl ebis obieqtis an monacemTa bazis yvel a im asl ze yadaris dadebisa da amoRebis Sesaxeb, roml is mimarTac arsebobs safuZvl iani varaudi, rom is kontrafaqciul i asl ia, agreTve im masal ebis, mowyobil obebisa da komponentebis mimarT, roml ebic gankuTvnil ia maTi damzadebis, reproducirebis da teqno logiuri saSual ebebis gverdis avl isaTvis.

3. saavtoro, momij nave da monacemTa bazis damamzadebl is ufl ebaTa darRvevis Sesaxeb sakmao monacemebis arsebobisas, roml isTvisac gaTval iswinebul ia sisxl issamarTI ebrivi pasuxismgebl oba, mokvl evis organo, gamomZiebel i an sasamarTI o val debul ia miRos zomebi wayenebul i an SemdgomSi SesaZl o samoqal aqo sarCel is uzrunvel sayofad, Semdegi nivTebis Ziebis da maTze yadaris dadebis gziT:

a) nawarmoebis, momij nave ufl ebis obieqtis an monacemTa bazis asl ebi, romel Ta mimarTac arsebobs safuZvl iani varaudi, rom isini kontrafaqciul i asl ebia;

b) masal ebi, mowyobil obebi, komponentebi da sxva teqnikiuri saSual ebebi, roml ebic gankuTvnil ia kontrafaqciul i asl ebis damzadebisa da reproducirebisaTvis, agreTve, teqno logiuri saSual ebebis gverdis avl isaTvis;

g) dokumentebi, angariSebi da sxva nivTebi, roml ebic SeiZl eba gamoyenebul iqnes mtkicebul ebad sasamarTI o ganxil visas.”

135. kanonis 62-e muxl is me-2 punqts daematos Semdegi Sinaarsis d) qvepunqti:

“d) qonebrivi ufl ebebis kol eqtiur safuZvel ze mmarTvel i organizaciebisagan moiTxovos qonebrivi ufl ebebis marTvasTan dakavSirebul i informacia;”

136. kanonis 62-e muxl is me-2 punqts daematos Semdegi Sinaarsis e) qvepunqti:

“e) Tavisi warmomadgenl is meSveobiT monawil eoba mi iRos, saTaTbiro xmis ufl ebiT, organizaciis saerTo krebisa da sameTval yureo organoebis sxdomebSi da im SemTxvevaSi, Tu organizacia arRvevs saqarTvel os kanonmdebl obisa da wesdebis moTxovnebs, ver uzrunvel ofs adgil obrivi da ucxoeli ufl ebis mfl obel ebis qonebrivi ufl ebebis efeqturad marTvasa da ganxorciel ebas, agreTve aRniSnuli ufl ebebis gamoyenebis procesSi arRvevs mosargebl eTa kanonier interesebs daayenos organizaciis wevrTa saerTo krebaze gansaxil vel ad Sesabamisi sakiTxebi.”

137. kanonis 63-e muxl is me-2 punqti Camoyal ibdes Semdegi redaqqiit:

“2. organizacia, romel ic kol eqtiur safuZvel ze marTavs qonebriv ufl ebebs, iqmneba nebayofl obiT, uSual od saavtoro da momijnave ufl ebebis mfl obel ebis mier, arasamewarmeo iuridiuli piris _ registrirebuli kavSiris organizaciul -samarTl ebrivi formiT. dadgenili wesiT registraciis Semdeg maregistrirebeli organo val debul ia gadaugzavnos iusticiis saministros saregistracio dokumentaciis, iseve rogorc registraciis monacemebSi ganxorciel ebuli cvlil ebebis, asl ebi. Tu organizaciis wesdeba Seesabameba am kanonisa da moqmedi kanonmdebl obis sxva moTxovnebs, iusticiis saministros erTi Tvis ganmavl obaSi gamoaqvs gadawyvetil eba misi saavtoro da momijnave ufl ebebis kol eqtiuri marTvis organizaciebis reestrSi Setanis Sesaxeb da gascems Sesabamis amonawers reestridan. iusticiis saministros mier aseTi organizaciis saavtoro da momijnave ufl ebebis kol eqtiuri marTvis organizaciebis reestrSi Setanamde, “saqpatenti” iusticiis saministros moTxovnis safuZvel ze gascems daskvnas organizaciis wesdebis “saavtoro da momijnave ufl ebebis Sesaxeb” kanonTan Sesabamisobis Taobaze. organizacia ufl ebamosil ia ganaxorciel os qonebrivi ufl ebebis marTva mxol od iusticiis saministros mier misi reestrSi registraciis Semdeg.

saavtoro da momijnave ufl ebebis kol eqtiuri marTvis organizaciebis reestris warmoebis forma da wesi, aseve registraciis Sesaxeb amonaweris forma mtkicdeba saqarTvel os iusticiis ministris brZanebiT.

organizacias ufl eba ara aqvs ganaxorciel os samewarmeo saqmianoba da am mizniT gamoiyenos nawarmoebi an momijnave ufl ebis obieqti, romel zec ufl ebebi mas gadacemuli aqvs samarTavad kol eqtiur safuZvel ze. aRniSnuli organizacia moqmedebs im ufl ebamosil ebis fargl ebSi, romel ic dadgenil ia saqarTvel os kanonmdebl obiT da romel ic mas wesdebis safuZvel ze miniWebuli aqvs saavtoro da momijnave ufl ebaTa mfl obel ebisagan.”

138. kanonis 63-e muxl is me-4 punqti Camoyal ibdes Semdegi redaqqiit:

“4. daSvebul ia ufl ebebis an ufl ebaTa mfl obel ebis sxvadasxva kategoriebis mixedvit cal keul i organizaciebis Seqmna, anda ufl ebaTa erTi an ramdenime kategoriis mfl obel Ta sxvadasxva ufl ebebis mmarTvel i organizaciebis Seqmna”.

139. kanonis 63-e muxl s daematos Semdegi Sinaarsis me-6 punqti:

“6. dauSvebel ia qonebrivi ufl ebebis kol eqtiur safuZvel ze mmarTvel i ori an meti organizaciis Seqmna erTi da imave kategoriis ufl ebebis mfl obel Ta mixedviT, an erTi da igive qonebrivi ufl ebebis marTvisaTvis, saavtoro da momij nave ufl ebebis obieqtibus erTi da imave formiT gamoyenebis SemTxvevaSi”.

140. kanons daematos Semdegi Sinaarsis 63¹-e muxl i:

“muxl i 63¹. qonebrivi ufl ebebis kol eqtiur safuZvel ze mmarTvel i organizaciis saqmianobis saj arooba

1. qonebrivi ufl ebebis kol eqtiur safuZvel ze mmarTvel i organizacia Tavis saqmianobas axorciel ebs saj aroobisa da gamWvirval obis principebiT, ristvisac organizacia val debul ia gamoaqveynos saqmianobis wl iuri angariSi, romel Sic Seva Semdegi monacemebi:

a) wl iuri Semosaval i;

b) adgil obrivi da ucxoeli ufl ebebis mfl obel ebisaTvis Segrovebul i da ganawil ebul i honorarebis odenoba;

g) sxva mniSvnel ovani informacia.

2. qonebrivi ufl ebebis kol eqtiur safuZvel ze mmarTvel i organizacia val debul ia:

a) warudginos “saqpatents” Semdegi dokumentacia: wesdeba, cvl il eba organizaciis wesdebaSi; informacia sazogadoebis marTvis organoebSi Semaval i pirebis Sesaxeb da aRniSnul organoebSi ganxorciel ebul i cvl il ebebis Sesaxeb; urTierTwarmomadgenl obis Taobaze gaformebul i xel Sekrul ebebi ucxoetis anal ogiur organizaciebTan; saavtoro da momij nave ufl ebebis obieqtibus gamoyenebisaTvis dadgenil i tarifebi da informacia tarifebis cvl il ebebis Taobaze; xel mZRvanel obisa da marTvis organoebis sxdomis oqmi; wl iuri angariSi; sasamarTl os gadawyvetil eba im saqmeebze, romel Sic is monawil eobda;

b) organizaciis wevrTa saerTo krebis mowvebis Sesaxeb “saqpatentis” dasabuTebul i weril obiTi moTxovnis miRebidan sami Tvis ganmavl obaSi moiwvios organizaciis wevrTa saerTo kreba.

3. am muxl is me-2 punqtis Sesabamisad qonebrivi ufl ebebis kol eqtiur safuZvel ze mmarTvel i organizaciis mier “saqpatentisaTvis” wardgenil i dokumentacia warmoadgens saj aro informacias.

141. kanonis 64-e muxl is me-2 punqti Camoyal ibdes Semdegi redaqqi iT:

“2. nebismier avtors, momij nave ufl ebebis mfl obel s, maT memkvidreebs, ufl eba monacvl eebis, saavtoro da momij nave ufl ebaTa sxva mfl obel ebs ufl eba aqvT samarTavad gadascen Tavianti qonebrivi ufl ebebi aseT organizacias, xol o organizacia val debul ia ikisros am ufl ebaTa marTva kol eqtiur safuZvel ze, Tu aseTi kategoriis ufl ebaTa marTva, maTi gamoyenebis konkretul i formebis gaTval iswinebiT, ganekutvneba am organizaciis saqmianobas.”

142. kanonis 64-e muxl is me-3 punqti Camoyal ibdes Semdegi redaqqi iT:

“3. am kanonis Tanaxmad miRebul i ufl ebebis Sesabamisad, organizacia, romel ic kol eqtiur safuZvel ze marTavs qonebriv ufl ebebs, mosargebl eebze gascems licenziebs nawarmoebis an momij nave ufl ebebis obieqtis Sesabamisi formiT gamoyenebisaTvis. licenziebis pirobebi anal ogiuri unda iyos erTi kategoriis yvel a

mosargebl isatvis. organizacias ufl eba ara aqvs uari uTxfas
mosargebl eebis licenciis gacemaze saamisod sakmarisi safuzvel is
arsebobs garese.”

143. kanonis 64-e muxl is me-4 punqti Camoyal ibdes Semdegi redaqqiit:

“4. saavtoro da momij nave ufl ebis obieqtiT mosargebl e
val debul ia moTxovnisTanave warudginos qonebrivi ufl ebebis
kol eqtiur safuzvel ze mmarTvel organizacias yvel a is dokumenti,
romel ic Seicavs nawarmoebis an momij nave ufl ebis obieqtis gamoyenebis
Sesaxeb zust cnobebs, rac aucil ebel ia honoraris Segrovebisa da
ganawil ebisatvis”.

144. kanonis 64-e muxl s daematos Semdegi Sinaarsis me-5 punqti:

“5. nawarmoebisa da momij nave ufl ebis obieqtiT mosargebl e
val debul ia awarmoos Sesabamisi dokumentacia, romel Sic asaxul i iqneba
informacia nawarmoebis da momij nave ufl ebis obieqtis gamoyenebis
Sesaxeb, garda im SemTxvevebisa, rodesac qonebrivi ufl ebebis
kol eqtiuri marTvis organizaciasTan SeTanxmehis Sesabamisad aRniSnul i
aucil ebel i ar aris honoraris gamoangariSebisa da ganawil ebisatvis.

im SemTxvevaSi, rodesac adgili aqvs nawarmoebis an momij nave
ufl ebis obieqtis saj aro Sesrul ebas, nawarmoebis an momij nave ufl ebis
obieqtis kanonier gamoyenebaze pasuxismgebl oba gani sazRvreb
mosargebl es, saj aro Sesrul ebis organizatorsa da im pirs Soris
dadebul i weril obiTi xel Sekrul ebiT, romel ic sakuTrebis an
sargebl obis ufl ebiT fl obs adgili s an Senobas (moednebi, scenebi,
darbazebi da sxva), sadac xdeba saj aro Sesrul eba. aRniSnul i
weril obiTi xel Sekrul ebis ar arsebobs SemTxvevaSi pasuxismgebl oba
nawarmoebis an momij nave ufl ebis obieqtis kanonier gamoyenebaze
sol idarul ad ekisrebat mosargebl es, saj aro Sesrul ebis
organizatorsa da im pirs, romel ic sakuTrebis an sargebl obis
ufl ebiT fl obs adgili s an Senobas (moednebi, scenebi, darbazebi da
sxva). sadac xdeba saj aro Sesrul eba.”

145. kanonis 65-e muxl i daiyos punqtebad da pirveli punqti Camoyal ibdes
Semdegi redaqqiit:

“1. organizacias, romel ic kol eqtiur safuzvel ze marTavs qonebriv
ufl ebebs, saavtoro da momij nave ufl ebaTa mfl obel ebis saxel iT da
maT mier miniWebul i ufl eamosil ebis safuzvel ze ufl eba aqvs:

a) mosargebl eebTan SeaTanxmos honoraris odenoba da licenciis
sxva pirobebi;

b) gasces licenciebi im ufl ebaTa gamoyenebis Sesaxeb, roml ebsac
is marTavs;

g) mosargebl eebTan SeaTanxmos honoraris odenoba, rodesac is
honorars agrovebs licenciis gacemis garese am kanonis 21-e muxl is me-4
punqtiTa da 51-e muxl is me-3 punqtiT gaTval iswinebul SemTxvevebSi;

d) Seagrovos licenciit gaTval iswinebul i honorari an/da
honorari, romel ic gansazRvrul ia am muxl is pirveli punqtis “g”
qvepunqtiT;

e) gaanawil os da gadauxados Sesabamisi honorari saavtoro da
momij nave ufl ebaTa mfl obel ebs;

v) Seasrul os iuridiul i qmedebani, roml ebic saWiroa mistvis
samarTavad gadacemul i ufl ebebis dasacavad an gansaxorciel ebl ad, maT

Soris warmooginos ufl ebis mfl obel ebi sasamarTi oSi da isargebl os saqarTvel os saproceso kanonmdebl obiT miniWebul i yvel a ufl ebiT;

z) ganxorciel os sxva saqmianoba saavtoro da momij nave ufl ebaTa mfl obel ebis mier mistVis miniWebul i ufl ebamosil ebis fargl ebSi.”

146. kanonis 65-e muxl s daematos Semdegi Sinaarsis me-2 punqti:

“2. organizacia, romel ic kol eqtiur safuZvel ze marTavs qonebriv ufl ebebs agreTve ufl ebamosil ia warmooginos saavtoro da momij nave ufl ebaTa yvel a ucnobi mfl obel ebi da CarTos maTi nawarmoebebi da dacvis sxva obieqtebi mosargebl eebze gacemul l licenziebSi. am punqtis debul ebebi ar vrcel deba kinematografiul da sxva nawarmoebebe, roml ebic gamoxatul ia kinematografiis anal ogiuri saSual ebebiT”.

147. kanonis 65-e muxl s daematos Semdegi Sinaarsis me-3 punqti:

“3. sawinaaRmdegos damtkicebamde ivaraudeba, rom yvel a nawarmoebi an momij nave ufl ebis obieqti, romel ic saj arod srul deba, gadaicema eTeriT, kabel iT, an sxvagvarad xdeba xel misawvdomi sazogadoebisaTvis, agreTve CarTul ia gadacemaSi, fonogramasa da videogramaSi Sedis Sesabamisi kol eqtiuri marTvis organizaciis repertuarSi. am SemTxvevaSi mtkicebis tvirTi ekisreba mosargebl es. am punqtis debul ebebi ar vrcel deba kinematografiul da sxva nawarmoebebe, roml ebic gamoxatul ia kinematografiis anal ogiuri saSual ebebiT”.

148. kanonis 65-e muxl s daematos Semdegi Sinaarsis me-4 punqti:

“4. qonebrivi ufl ebebis kol eqtiur safuZvel ze mmarTvel organizaciasTan gaformebul i xel Sekrul ebis safuZvel ze saavtoro da momij nave ufl ebis obieqtebiT mosargebl eebis mier am obieqtebis gamoyenebasTan dakavSirebul Sesazl o qonebriv pretenziebze, ufl ebis mfl obel Ta mxridan, pasuxismgebel ia kol eqtiuri marTvis organizacia, romel mac gasca gamoyenebis nebarTva mosargebl eze.”

149. kanonis 65-e muxl s daematos Semdegi Sinaarsis me-5 punqti:

“5. im SemTxvevaSi, Tu saavtoro da momij nave ufl ebaTa daudgenel i mfl obel ebis nawarmoebebis an dacvis sxva obieqtebis gamoyenebidan gava sami wel i da isini ar gamoiTxoven kuTvnil saavtoro honorars kanonis 66-e muxl is me-2 punqtis “a” qvepunqtis Sesabamisad, qonebrivi ufl ebebis kol eqtiur safuZvel ze mmarTvel organizacias ufl eba aqvs gadaanawil os dagrovil i Tanxa sxva avtorebze proporciul ad, an gadaitanos es Tanxa saavtoro da momij nave ufl ebaTa mfl obel ebis mier Seqmnil fondebSi.”

150. kanonis 66-e muxl is me-2 punqti Camoyal ibdes Semdegi redaqqiiT:

“2. saavtoro da momij nave ufl ebaTa mfl obel ebs, roml ebsac ar gadauciaT organizaciisaTvis honoraris SegrovebasTan dakavSirebul i ufl ebebi, ufl eba aqvT:

a) mostXovon organizacias honoraris gadaxda ganxorciel ebul i ganawil ebis Sesabamisad;

b) mostXovon organizacias maTi nawarmoebis an momij nave ufl ebis obieqtis gamoricxva im l licenziebidan, roml ebsac es organizacia gascems mosargebl eebze sami wl is vadaSi maTi nawarmoebis an momij nave ufl ebis obieqtis mosargebl is mier gamoyenebis dRidan.”

151. kanonis 67-e muxl is me-2 punqti Camoyal ibdes Semdegi redaqqiit:

“2. im nawarmoebze, romel zedac am kanonis amoqmedebamde ar aris gasul i saavtoro ufl ebis dacvis 50 wl iani vada, vrcel deba am kanonis 31-32 muxl ebiT gaTval iwinebul i saavtoro ufl ebis moqmedebis vadebi.”

152. kanonis 67-e muxl is me-4 punqti Camoyal ibdes Semdegi redaqqiit:

“4. im fonogramasa da videogramaze, roml ebzedac am kanonis amoqmedebamde ar aris gasul i 50 wel i maTi Seqmnidan, pirvel i gamoqveynebidan an saj aro gacnobidan, im SemTxvevaSi, Tu aRniSnul vadaSi isini ar yofil a sazogadoebisaTvis xel misawvdomi gamoqveynebis an saj aro gacnobis gziT, vrcel deba am kanonis 57-e muxl is me-3 punqtiT gaTval iswinebul i momij nave ufl ebis moqmedebis vada.”

153. kanonis 67-e muxl is me-5 punqti Camoyal ibdes Semdegi redaqqiit:

“4. mauwyebi obis organizaciis gadacemebze, roml ebzedac am kanonis amoqmedebamde ar aris gasul i 50 wel i maTi Seqmnidan, pirvel i gamoqveynebidan an saj aro gacnobidan, im SemTxvevaSi, Tu aRniSnul vadaSi isini ar yofil a sazogadoebisaTvis xel misawvdomi gamoqveynebis an saj aro gacnobis gziT, vrcel deba am kanonis 57-e muxl is me-4 punqtiT gaTval iswinebul i momij nave ufl ebis moqmedebis vada.”

154. kanons daematos Semdegi Sinaarsis 67¹-e muxl i:

“muxl i. 67¹

1. saqarTvel os iusticiis saminstrom kanonis gamoqveynebidan ori Tvis ganmavl obaSi SeimuSavos da daamtkicos saavtoro da momij nave ufl ebis kol eqtiuri marTvis organizaciebis reestris warmoebis forma da wesi, aseve registraciis Sesaxeb amonaweris forma.”

muxl i 2. es kanoni amoqmeddes gamoqveynebisTanave.