



BASICS OF COPYRIGHT

INFORMATION THAT YOU SHOULD KNOW

According to the United States Constitution (Article 1, Section 8, Clause 8), the purpose of copyright is to encourage the creation of original works by guaranteeing for a *limited time* the sole rights to the creators of those works. Through copyright term limits, copyright essentially balances the financial rights of the creator with the rights of society to use creations for advancement.

WHAT IS COPYRIGHTABLE

An original work
in fixed form

Copyrightable works are tangible in a permanent medium that can be communicated.

Ideas, expressions, and facts are not copyrightable.

EXEMPTIONS TO COPYRIGHT

Introducing Fair Use and
Fair Dealing

Fair Use and Fair Dealing set parameters for the authorized use of copyrighted works. In the United States, four factors determine Fair Use: the purpose and character of the use; the nature of the copyrighted work; the amount of the portion used; and the effect of the use upon the potential market for the work.

INTELLECTUAL PROPERTY (IP)

Any form of creativity that the law protects

Copyright is only one form of IP. Although copyright protects *original works* of authorship, patents protect *inventions* and trademarks are *protected symbols or words* that distinguish sources of goods.

PUBLIC DOMAIN

Copyright does
not last forever

After copyright terms expire, works enter the Public Domain. In some countries works created by governments are in the Public Domain automatically. Some authors dedicate their works to the Public Domain and years ago, if a creator did not comply with copyright laws and procedures, their works may have entered the Public Domain.

Copyright Protection HOW TO RECEIVE IT

**A WORK IS AUTOMATICALLY
PROTECTED BY COPYRIGHT
ONCE IT IS FIXED IN A
TANGIBLE FORM.**

**YOU MAY WANT TO REGISTER
YOUR COPYRIGHT WITH A
NATIONAL COPYRIGHT
OFFICE. THIS HELPS WHEN
SUING FOR INFRINGEMENT.**