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# Copyrights

## What is a copyright?

Copyright gives authors and others who create original works, the right to control copying and use of those works. It doesn't protect the underlying idea, but it does protect the way in which the idea is expressed. For written works, it protects the words (or computer programs, or musical notes) that you have written. For photographs, it protects the image you captured on film or digital media. For artwork, architectural drawings, and designs of all kinds, it protects what you have drawn. For costumes and stuffed toys, it protects your pattern and the artistic elements of the end product. For dances, it protects the choreography. For musical performances, it protects the works as sung and played. And the list goes on...

As you can see, copyright has the potential to protect almost any form of creative activity, once that activity is expressed in some tangible form. Once copyright attaches to a work, the copyright owner has exclusive control over publication, distribution, sale, use and public performance or display of the work. The creative content cannot be used or published by anyone else without your consent.

Express an original idea in writing or in an email-you own a copyright. Create a painting, photograph, book, or software-copyright law both assures that you own it and protects your ownership. You have virtually complete freedom to do what you want with your work.

## What kind of works are protected by copyright?

Copyright law protects a wide range of creations. Moreover, copyright covers both published and unpublished works. Obvious examples are text, books, art, music, and photos. Copyright law also protects less obvious creations including:

- Brochures, newspapers, and magazines
- Theatrical works
- Oral presentations, once they are recorded in any form at all
- Choreographic and pantomimic works
- Buildings and building plans
- Sculptures and murals
- Computer software and apps
- Websites
- Audiovisual creations

## How do I obtain a copyright?

Your work becomes protected under U.S. copyright law "the moment it is created and fixed in a tangible form that it is perceptible either directly or with the aid of a machine or device." In other words, if it's only in your head, or spoken, it's not yet protected. As soon as it's recorded in any medium, protection attaches.

## What does it mean to "register" a copyright?

Registering your copyright with the U.S. Copyright Office is a legal formality, a procedure which establishes an official public record and a verifiable account of the date and content of your work. Much like registering the title to your house, it records your ownership of the copyrights in your work.

## If my work is already protected the moment it is created—why register the copyright?

There are tremendous advantages to registering your work. Your copyright becomes public record, and you receive a "certificate of registration." If ever there's a legal claim, or case of infringement or plagiarism, you can produce a copy of the work registered with an official government agency. A copyright registration is required in order to sue for infringement, and owning a registration allows you to claim damages that wouldn't otherwise be available, and to sue for attorneys' fees.

## Does my copyright protect my work in other countries?

Almost every other country in the world participates in one or another of the international copyright treaties and conventions. As a result, without having to do anything else, most works protected in the U.S. are given at least basic protection almost everywhere else in the world.

Some nations have additional steps (like registration in the U.S.) that enhance protection, and exactly what is protected can vary from country to country. So can the rules about who owns the copyrights. Those differences are particularly important for employers and employees because some countries don't recognize corporate ownership of works made by their employees in the same way the U.S. does, and it's especially important for those rights to be written down in an agreement.

## Why Olive & Olive for copyrights?

From websites to architectural designs, from artwork to computer programs, from the oldest technologies to the newest, the Olive & Olive team protects your creative works and prevents their unauthorized use by others.

Whether you are the creator of the work or the company that uses it, Olive & Olive provides advice, guidance, and protection.

# Olive & Olive is with you every step of the way of the copyright registration process–

Our highly skilled team of copyright experts will:

- Draft, file, and prosecute your applications for copyright registration;
- Prepare and negotiate your licenses and other contracts;
- Assist you with commercialization of your copyrighted properties, both in the U.S. and abroad;
- Provide top-quality counsel and representation if disputes and litigation arise.

## We counsel, educate, and train you so you can avoid unnecessary legal fees–

Need to file multiple, similar copyrights? Part of our copyright counseling is educational—where feasible, Olive & Olive professionals prepare templates you can use and train you to prepare and file your own applications for copyright registrations. We also prepare templates you can use in other repetitive situations, for example, model releases as well as agreements with content providers, software developers, and customers.

We also educate you on the ramifications of copyright law and ownership issues. This helps you to prepare and sign required documents at early stages of our work rather than later when problems often arise.

Our attorneys are experienced at applying copyright law to new technology and the challenges it creates. We work with our clients to protect their copyrightable works from creation and registration to enforcement and litigation.

**Your copyrights are critically important to your success. Trust Olive & Olive to provide the shrewd guidance and sound protection that copyrights require and deserve.**