

Scope & Protection

Scope of Copyright Protection

Copyright laws are designed to protect your hard work and creativity. Copyright protection gives the owner of an original work the exclusive right to do the following:

- Reproduce the work
- Distribute copies of the work
- Create derivative works based upon the original work
- Display the work publicly
- Perform the work publicly

In addition, the copyright owner can authorize others to do these things. Like any other property right, copyrights can be sold, licensed or assigned – sometimes for lots of money.

Protection for Authors, Artists, Architects ... and You!

A key element of copyright law is the concept of “authorship.” When you hear that word, you probably first think of writers. But the legal definition of “authorship” goes far beyond the written word. It applies also to musicians, filmmakers, dancers, architects, computer programmers, and perhaps to the creative enterprise you’re engaged in.

And though copyright comes into existence when an original work is “fixed in a tangible medium of expression” like a book or sound recording, it protects copies as well. Nobody can legally copy or distribute your valuable property.

In addition, the copyright owner can license his or her work for use by others. This means the copyright owner gets to decide who can use the work and how that work is used.

Olive & Olive is experienced in reviewing and negotiating licenses. We know what action to take if those licenses are misused or violated.

Copyright Registration: The Basics

Registering a copyright creates a public record of your authorship and ownership. It tells the entire world that you are the creator and owner. A copyright registration also helps prove the validity of the copyright in the event of a dispute, and it can affect the amount of damages you can recover if someone infringes upon your rights.

Copyright registration is done through the U.S. Copyright Office. There are different types of applications to suit different needs. Unfortunately, the process of registering a copyright is not always simple. Using one wrong word or omitting a key phrase could lead to disaster.

No worries. Olive & Olive can help:

- We can handle every aspect of the registration process ourselves.
- We provide guidance to make sure everything is registered correctly.
- We provide expertise to make sure your work is identified appropriately.
- We will even offer DIY training, so you can file your own registration, by walking you through the process from beginning to end.

How Long Does Your Copyright Last?

Copyright protection lasts for the life of the author plus 70 more years (for works created after January 1, 1978). If the work was registered anonymously or under a pseudonym, or it was created as a work made for hire, the copyright lasts for 95 years from the year of its first publication or 120 years from creation, whichever is shorter.

It's up to you to determine how it's used during this time. As we mentioned, you can copy the work yourself, add to it, change it, perform it, license it, or even sell the rights completely.

There are several limits to copyright protection. For example, some works are in the public domain and can be used by anyone. These include works where the copyright has expired. And some things, such as names and common facts, can't be copyrighted though your unique expression of them could be.

The most important limitation on copyright protection is the doctrine of "Fair Use." This comes into play when others use a copyrighted work for educational or news purposes, or when the work is referred to in opinions, reviews or general commentary. We can determine the extent and impact of fair use in relation to your copyright property.

Your creative work deserves strong protection. Don't let others profit from your time, toil and talent. Let the experienced Copyright Attorneys at Olive & Olive determine your rights, register your rights, and defend your rights. Contact us here.