

Student Name: \_\_\_\_\_

# Copyright Notes

**Copyright** is a form of protection provided by the \_\_\_\_\_ of the \_\_\_\_\_ (title 17, U.S. Code) to the authors of “original works of authorship” including \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and certain other intellectual works. Section 106 of the 1976 \_\_\_\_\_ generally gives the owner of copyright the exclusive right to do and to authorize others to do the following:

- To \_\_\_\_\_ the work in copies or phonorecords;
- To prepare \_\_\_\_\_ based upon the work;
- To \_\_\_\_\_ or phonorecords of the work to the public by sale or other transfer of ownership, or by rental, lease, or lending.
- To \_\_\_\_\_ the \_\_\_\_\_, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and motion pictures and other audiovisual works;
- To \_\_\_\_\_ the work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work; and
- In the case of \_\_\_\_\_, to perform the work publicly by means of a digital audio transmission.

It is illegal for \_\_\_\_\_ to violate any of the rights provided by the copyright law to the owner of copyright.

Rights are limited by the doctrine of “\_\_\_\_\_” which is covered by section 107 of the 1976 Copyright Act.

Copyright goes into effect \_\_\_\_\_, giving the author the sole right to the work.

Works are often identified as falling under copyright protection through “\_\_\_\_\_.” This is usually indicated by use of the symbol © followed by the year and name of the copyright holder.

Example: © 2004 John Doe

Prior to the \_\_\_\_\_ Convention, effective March 1, 1989, the use of copyright notice was a requirement for work to be protected. However, this is no longer the case. Copyright notice is NOT required for a work to be protected by the law. Notice still serves a legitimate purpose by providing a method of informing the public that a work falls under copyright protection. In addition, this notice allows for the \_\_\_\_\_ of the copyright owner, shows the first year of \_\_\_\_\_, and makes it difficult for someone claiming innocent infringement (being unaware that the material is protected) to provide a solid case.

Works created by the \_\_\_\_\_ are NOT eligible for U.S. copyright protection. They are considered “public domain.”

**Two general principles** apply when considering copyright:

1. Ownership of a book, manuscript, painting or any other copy or phonorecord does not give the \_\_\_\_\_ the copyright. The law provides that transfer of ownership of any material object that embodies a protected work does not of itself convey any rights in the copyright.
2. Minors may claim copyright, but \_\_\_\_\_ may regulate the business dealings involving copyrights owned by minors.

**What works are protected?**

1. Literary works
2. \_\_\_\_\_ works, including any accompanying words
3. dramatic works, including any accompanying \_\_\_\_\_
4. pantomimes and choreographic works
5. pictorial, graphic, and \_\_\_\_\_ works
6. motion pictures and/or other audiovisual work
7. sound recordings
8. architectural works

**What is not protected?**

1. Works that have not been fixed in a tangible form of expression  
Examples: \_\_\_\_\_
2. Titles, names, short phrases, and \_\_\_\_\_; familiar symbols or designs; mere variations of typographic ornamentation, lettering, or coloring; mere listings of ingredients or contents
3. Ideas, procedures, methods, systems, processes, concepts, principles, discoveries, or devices as distinguished from a description, explanation, or illustration.
4. Works consisting entirely of information that is common property and containing no original authorship  
Examples: \_\_\_\_\_

**International copyright protection** does not \_\_\_\_\_. National laws of a particular country may apply but can only be distinguished on a case-by-case basis. Most countries \_\_\_\_ offer protection to foreign works under certain conditions which have shaped and/or simplified by international copyright treaties and conventions.

**How long is copyright in effect?** For works created on or after January 1, 1978 protection is automatic and endures the author's life plus an additional 70 years after the author's death. In the case of a joint work, one created by two or more authors, the terms lasts for 70 years after the last surviving author's death. For works made for \_\_\_\_\_, and for anonymous and pseudonymous works (unless the author's identify is revealed in Copyright Office records), the duration of copyright is 95 years from publication or 120 years from creation, whichever is shorter.