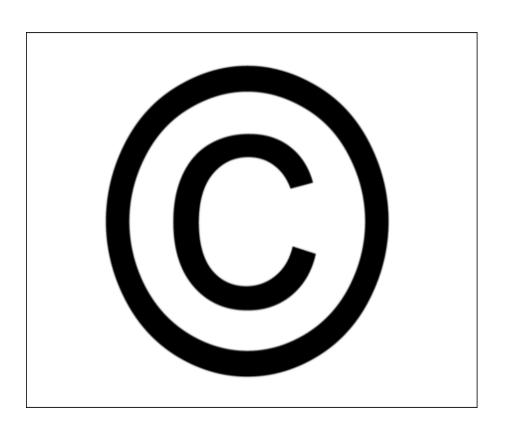
# **COPYRIGHT BASICS**

Ketchum Innovation Center November 13, 2014

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# WHAT IS A COPYRIGHT?





## **IDEAS VS. EXPRESSIONS**

- Copyright does not protect ideas
- Copyright protects expressions



#### WHAT IS AN "EXPRESSION"?

- "Original works of authorship" fixed in a tangible form
  - Literary works (includes computer code)
  - Musical works, including lyrics
  - Dramatic works, including music
  - Choreography
  - Visual art
  - Architecture



## RIGHTS UNDER COPYRIGHT LAW

# Right to:

- Copy
- Make derivative works
- Distribute
- Publicly display
- Publicly perform



## **OBTAINING A COPYRIGHT**





#### **COPYRIGHT: OWNERSHIP**

- With some exceptions, if an employee is a creator, copyright belongs to employer.
- With some exceptions, if a contractor is a creator, copyright belongs to contractor.
- Best practice as a business owner: obtain an assignment.



#### REGISTERING A COPYRIGHT

- Requirements: application, fee, and deposit
- Benefits:
  - Public record of claim
  - Gateway to action in court
  - Evidence of copyright validity
  - Statutory damages and attorney fees
  - Prevent importation of infringing copies



## **FAIR USE**

- Purpose and character of the use
- Nature of the work used
- Amount and substance of the work used
- Effect on value



## **IDEAS FOR ENTREPRENEURS**

- Added protection for logos
- White papers/reports
- Websites
- Videos
- Photography



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