

What is Copyright and Fair Use?

What is copyright?

Copyright is a form of legal protection that provides authors of original creative works with limited control over the reproduction and distribution of their work. It gives copyright holders a set of exclusive rights to reproduce the work, in whole or in part, distribute copies of the work, publicly perform the work, publicly display the work, and prepare derivative works based on the original, such as translations or adaptations.

These rights are subject to exceptions and limitations, such as "fair use," which allow limited uses of works without the permission of the copyright holder. A person could be held liable for copyright infringement if they use copyrighted materials when exceptions do not apply and without the permission of the copyright holder.

What does copyright protect?

Copyright protects "original works of authorship." To be protected by copyright, a work must be original and recorded. It cannot be copied or expressed without being recorded.

How long does copyright last?

Under current U.S. law, copyright lasts until 70 years after the death of the author. For works made for hire, the copyright term is either 95 years from the date of publication, or 120 years from the date of creation, whichever is shorter.

After the copyright term expires, works pass into the public domain, meaning that anyone is free to reproduce, distribute, or otherwise reuse the work.

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Types of works protected by copyright include:

Literary works Musical works Dramatic works
Pantomimes and choreographic works Sound Recordings
Pictorial, graphic, and sculptural works
Motion pictures and other audiovisual works
Architectural works

What is not protected by copyright?

Facts, ideas, procedures, methods, systems, processes, works that are not fixed in a tangible form, titles, names, short phrases, or slogans, familiar symbols or designs, mere variations of lettering or coloring, mere listings of ingredients or contents, works of the United States government, works that have passed into the public domain

Who owns the copyright to a work?

In most cases, the author or creator of the work is the copyright holder unless they have transferred the rights to someone else through a written agreement, such as a publishing agreement.

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