

**© BASICS:
UTAH HEALTH SCIENCES LIBRARY CONSORTIUM**

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August 18, 2008

© defined:

Subject matter covered

Original works of authorship

Fixed in any tangible medium of expression

Includes:

Literary works (including computer programs)

Musical works

Dramatic works

Pictorial, graphic & sculptural (PGS) works

Motion pictures & AV works

Sound recordings

Rights of © owners

Reproduction/to make copies

Derivative works/to make adaptations of the work

Distribution

Public performance

Public display

Not protected by ©

Pre 1923 – Public domain

1923-1963 that is P.D.

Published without notice

Failure to renew registration

Not protected:

Facts

Ideas, methods, systems described in © works

Government works

Not original

PGS works: utilitarian aspects of useful articles

How © is obtained

Automatic upon creation and fixation

Registration required in order to enforce rights (sue)
The © symbol

How long does © last?

life of author + 70 years

corporate author: 95 years from publication

Sony Bono Term Extension (1998): froze P.D. for 20 years (10 years left)

Orphan Works

User's rights

First sale

Getting permission – from whom?

CCC

Guidelines – safe harbors

Fair Use

Other exemptions;

§ 108 Libraries (copying for ILL, preservation, self service)

§ 110 Performances and display

Fair Use: look at

Purpose and character of the use

Nature of the work

Amount used

Market effect

Licenses = contracts altering/clarifying the default © rules

DMCA and DRMs

Helpful web sites:

US Copyright Office: copyright.gov

CCC: copyright.com

Stanford: fairuse.stanford.edu (one of many higher ed © sites)