

Copyright: Introduction

Subjects: [General](#) Tags: [copyright](#), [intellectual property](#), [scholarly communication](#)

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Copyright Basics

What is copyright?

In the United States, the idea for Copyright was embedded in the [U.S. Constitution](#) in Article 1, Section 8, which describes the powers of Congress.

"Congress shall have Power...To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries"

According to U.S. Copyright Law, copyright protects works of original authorship that are fixed in a tangible expression. This includes broad categories of literary works, musical works, dramatic works, visual (pictorial, graphic, and sculptural) works, pantomime and choreographical works, motion pictures and other audiovisual works, sound recordings, and architectural works. Copyright takes effect immediately once a work has been fixed in a tangible form - registration is not necessary - and lasts for 70 years after the death of the author, or, in the case of works for hire or anonymous/pseudonymous works, 95 years from publication or 120 years from creation, whichever is shorter.

Copyright gives the author the following exclusive rights:

- to reproduce the work
- to prepare Derivative Works based on the work
- to distribute the work
- to publicly perform the work
- to publicly display the work

These rights can be transferred from the author in whole or in parts, but exclusive rights can only be transferred in writing and signed by the copyright holder.

What is NOT protected by copyright?

- works that are not fixed in a tangible form (for example, an improvised performance that is not recorded)
- names, titles, short phrases, slogans, mere listings of ingredients or contents, familiar symbols or designs, mere variations of typography, coloring or lettering
- ideas, procedures, methods, systems, processes, concepts, principles, discoveries, or devices, as distinguished from a description, explanation, or illustration
- works consisting entirely of information that is common property and containing no original authorship (for example: standard calendars, height and weight charts, tape measures and rulers, and lists or tables taken from public documents or other common sources)
- works produced by the U.S. Government

From "[Copyright Basics](#)"(pdf), U.S. Copyright Office Circular 1

Subject Guide



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Subjects: Copyright, Scholarly Communication, Digital Repositories, Scholarly Publishing, Impact & Metrics, Open Access and Open Education.

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Copyright Basics Resources

- [U.S. Copyright Office](#)
- [Copyright Quick Guide — Columbia University Libraries' Copyright Advisory Office](#)
- [Copyright for Educators and Librarians](#)
Free Coursera online class with an excellent team of instructors. Learn at your own pace.
- [Copyright Crash Course - University of Texas Libraries](#)
- [Online Tutorial | BYU Copyright Licensing Office](#)
This online tutorial will assist faculty, staff, and students learn about the rights of a copyright owner and the legal exceptions such as fair use. The tutorial is three interactive modules and includes short videos, reference materials, case studies and a quiz/game.
- [The Purpose of Copyright by Lydia Pallas Loren](#)
- [Copyright: Forever Less One Day \(video\)](#)
Humorous but mostly accurate description of copyright.
- [Teaching Copyright](#)
A teaching curriculum created by the Electronic Frontier Foundation to help teachers educate their students about copyright.
- [Copyright Law & Public Domain](#)
- [CopyrightCodex | Digital Copyright Treatise](#)
Copyright Codex is based on Professor Robert Gorman's 250 page treatise "Copyright Law, 2nd Ed" (2006). It has been adapted for the web and (partially) updated.
- [The Copyright Genie](#)
- [Copyright Milestones](#)
The files on record for U.S. Copyright Law are many. Here is a list of milestones throughout recent history.

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