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Copyright for Publishing

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Copyright for Publishing

a super-short course

Copyright requires 2 things:

1. Creative act

2. Fixed medium

Copyright (now)

- Immediate
- Automatic
- Lasts until you die
- Then 70 years more

Copyright can be transferred

- By agreement or contract; must be in writing, not assumed or implied.
- Then you don't own it anymore; it's no longer yours. The transferee controls it until 70 years after you die.

“Used to be” (1909-1976)

- Had to register with US Copyright Office.
- Had to print copyright notice.
- Copyright ran for an initial term of 28 years, renewable for 28 more; for a total of 56 years. Then a work became “public domain.”
- If holder did not renew, copyright expired after 28 years.

1976 Copyright Act (effective Jan. 1, 1978)

- Copyright became automatic; no registration or notice required.
- New Personal works: term = life of author plus 50 years
- New Corporate works: term = 75 years
- Renewals (2nd term) increased from 28 to 47 years, for a full 75
- Renewals, however, were not made automatic until 1992 (so material published through Dec. 31, 1962 might have lapsed).

Effects of 1976 Act

- All works published through December 31, 1922 are public domain.
- Works from 1923-1962 that were not renewed are public domain.*

Search the Copyright Renewal Database (Stanford University)

<https://collections.stanford.edu/copyrightrenewals/bin/page?forward=home>

* with possible exception of some foreign works whose US copyrights were not renewed but were restored by 1989 enactment of Berne Convention treaty.

So now, something is not in copyright if:

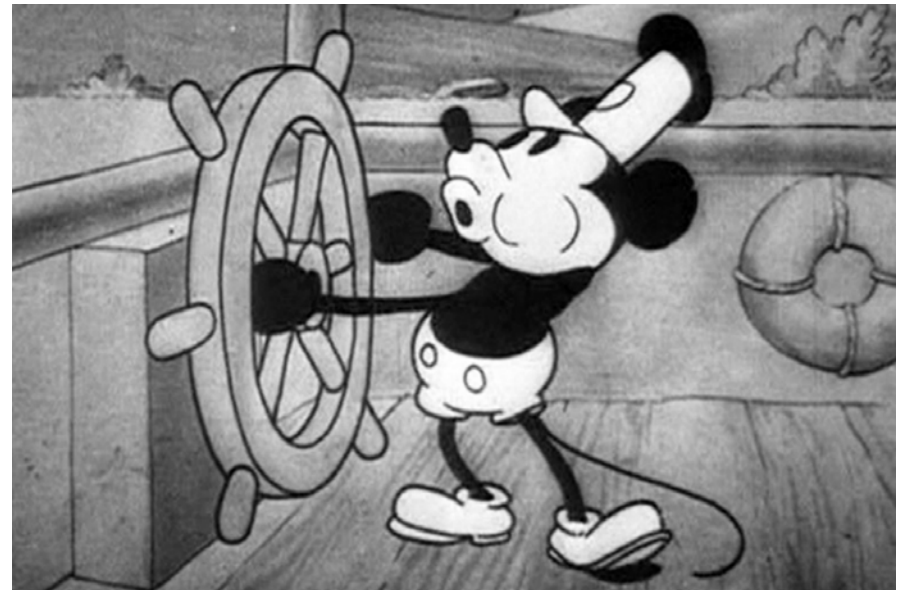
- Published before Jan 1, 1923.
- Published Jan 1, 1923 – Dec 31, 1962, and not renewed (i.e., first 28-yr term expired before 1991).
- Unpublished and author died before 1945.

Way-Back in 1928

Walt Disney released 3 cartoons starring Mickey Mouse, including the first sound cartoon “**Steamboat Willie**”.

These would have become public domain in 1984 if the 1976 Act had not extended their copyrights to 75 years.

They were then due to become public domain in 2003, unless



Copyright Term Extension Act of 1998

- Introduced and sponsored by **Sonny Bono**
- Personal works term extended to “life + 70 years”
- Corporate works term extended to 95 years



$$1928 + 56 = 1984$$

$$1928 + 75 = 2003$$

$$1928 + 95 = 2023$$

Published in 1963 or later

Nothing will become public domain until 2058, or after.

1963
+ 95

2058



(I will turn 105 that year.)

Does the day of the year matter? No.

- Copyrights are like race horses.
- They all share an official birthday = January 1



Secretariat, born March 30, 1970;
official birthday January 1, 1970.



What does copyright cover?

Original forms of expression in tangible media:

- texts
- artwork
- music
- dance
- architecture
- computer programs
- ship's hulls

Copyright does not cover

- Facts
- Data
- Titles, words, or phrases
- Formatting and layout
- Mechanical processes, like transcribing or copying

Two pages a book needs:

1. Title page

	My Book of Wisdom <i>John Doe</i>
--	--

2. Copyright page

© 2016 John Doe	
--------------------------	--

Title page

- title
- author(s)
- publisher (& place)
- date

Always, always, always a RECTO (or a spread).

Copyright page (backs up title page)

- Copyright statement:
 - © or (c) or word “copyright”
 - + effective date of copyright
 - + holder of copyright
- Licensing, production, or editorial information

Other (optional) page types

- half-title page
- contents page
- dedication/acknowledgments page
- part title pages



Take questions

Contact: Copyright or publishing help, advice,
consulting, etc.

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