

Copyright Law Basics

This is a basic introduction to copyright law. To gain a more thorough understanding of the subject, a good website to visit is the [U.S. Copyright Office](#).

Most of the current copyright law is based on the 1976 U.S. Copyright Act which protects any original work which is fixed in a tangible medium (17 U.S.C. § 102 (a)) Examples of what is protected include books, articles, papers, pictures, art work, videotapes, sound recordings, audiovisual recordings, musical scores and computer programs. Copyright protection is granted immediately after the item is created. An item does not need to be stamped with a copyright notice or registered at the U.S. Copyright Office to be granted legal protection.

If a work is created from 1978-today, it is legally protected for 70 years after the death of the author. If it is created in 1922 or earlier, it is in the public domain already. (Gassaway, 2003) It is important to know this, because if a work is in the public domain, you can feel free to use it without getting permission from the author. So, for example, if you are a classical guitarist, you can perform a concert using musical scores written before 1922, without getting written authorization from the creator. (For works created between 1922-1978, visit the [U.S. Copyright Office](#) or [Lolly Gasaway's handy chart](#) for information regarding the terms of protection).

The exclusive rights of the authors are the rights to distribute, adapt, perform or display the work. (17 U.S.C. § 106) There are exceptions to the law, however, and students and schools of higher learning have the most rights to access a wide range of material without getting permissions. At Baker College, students and faculty are simultaneously creating copyrighted works and using the works of others to advance educational objectives. For example, students hold the copyright to papers they write and projects they produce. Baker is like most institutions, however, which have policies such as the ["Ownership of Student Intellectual Policy"](#) granting the college the freedom to copy, display, and distribute the work to external companies which check the paper for plagiarism.

Exceptions to copyright law also allow libraries to provide copies of journal articles to be placed on reserve for student use or obtained from other institutions via interlibrary loan. In addition, Baker College negotiates licenses (contracts) from database vendors to purchase rights for students to legally access and print articles from the online databases without obtaining permission from the publisher.

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If you have any questions regarding copyright law please contact your campus librarian for assistance.

References

Gasaway, Lolly. (2003). *When United States works pass into the public domain*. Retrieved January 5, 2007 from <http://www.unc.edu/~unclng/public-d.htm>

U.S. Copyright Office <http://www.copyright.gov/>