

The basics of Copyright Law

THE PURPOSE



Copyright has two purposes. The first is the **utilitarian** one, based on the common law tradition. It promotes the creation of new works and, in the meantime, encourages content creators. The second purpose, based on a **moral** basis, protects and recognizes the author's connection with their works, requiring attribution.

THE DEFINITION



The definition of what is copyrightable and what is not depends on the country. It is usually considered in the branch of **literary and artistic works**, such as literary, musical, artistic, visual, dramatic, or cinematographic works, as well as translations, adaptations, arrangements or collections of works, databases, and computer software.

THE INTELLECT



When defining copyright, one of the most important aspects is the protection of **intellectual property**, by restricting others from using someone else's creative works. However, copyright is not the only way to protect it. There's also trademark law, which protects trademarks, and patent law, which protects the creator's control over his/her inventions.

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THE CREATORS



Usually, creators receive copyright **protection** for their creations when the works they publish are original. This does not mean that facts or ideas are protected. Rather, it means the creator is the only one who has the right to use, copy, or adapt the work. Copyright is also automatic and may last decades. Exceptions exist and usually are made in favor of the public interest.

THE PUBLIC DOMAIN



The public domain is a **legal condition** that defines which works are no longer subject to copyright. This usually means that the copyright from the work has expired, the work was never qualified to copyright, the creator of the work has given up copyright, or that the copyright holder for the work has failed to accomplish the copyright requirements.

THE EXCEPTIONS



Copyright also has its limitations and exceptions, created so that the rights of the public are not limited. Uses like criticism, parody, access for the visually impaired are out of copyright in most countries. And a four-factor test helps to establish if it is a **"fair use"**, when considering the purpose of use, the nature of the work, the amount used, and the effect of the use in the market.

Assignment 2 - Alpha test: [CC Certificate for GLAM](#)

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