

COPYRIGHT FACT SHEET

➤ **What is copyright?**

Copyright protection in the UK arises automatically by an operation of law.

➤ **Can a copyright work be registered in the UK?**

There is no system of registration. However, copyright registration can be obtained in the USA for certain copyright works.

➤ **How can I ensure that my work is copyright protected?**

Traditionally people posted a copy of their work to themselves as evidence that they owned the work. However, this is usually not reliable enough especially if your work becomes the subject of litigation. Various companies and organisations now offer a copyright depository service where you can register and deposit a copy of your work.

➤ **What types of works are protected by copyright?**

Copyright protection can be afforded to various aspects of work such as literary, dramatic, artistic works, including, research notes, books, recipes, computer programs, typographical arrangements of published works including articles or lecture notes.

➤ **What is the test for copyright protection?**

For copyright to subsist in a work there has to be some element of originality and the test is the degree of skill, labour and judgement expended by the author in the creation of the work.

➤ **Who owns the copyright?**

The author of the work owns copyright, unless the work was created during the course of employment, in which case, the copyright belongs to the employer.

➤ **How long does copyright last for?**

Copyright lasts for the life of the author plus 70 years.

➤ **What are good housekeeping rules regarding copyright protection?**

A company should, as part of its good housekeeping rules, place copyright notices on all original, texts, scripts, sketches and diagrams and other copyright work. For e-businesses, a copyright notice should also be placed on a website.

➤ **What amounts to copyright infringement?**

If a third party infringes copyright material, whether it is the copying of text from a website or a published article, the owner of the copyright has the right to bring an infringement action to stop the copying of such material. The remedies are the same as described above.

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This Fact Sheet does not provide a comprehensive or complete statement of the law relating to the issues discussed nor does it constitute legal advice. It is intended only to highlight general issues. Specialist legal advice should always be sought in relation to particular circumstances.