What does copyright protect?
Copyright protection exists for original works of authorship fixed in a tangible medium of expression. Works/items not protected by copyright include facts, ideas, materials lacking the requisite modicum of originality, materials created by federal government employees within the scope of their employment, and useful articles.

What types of works can be copyrighted?
All types of “original” works can be copyrighted including literary works, musical works, dramatic works, pictorial, graphic, and sculptural works, motion pictures and other audiovisual works, sound recordings, pantomimes and other choreographic works, and architectural works.

What are the rights of the copyright holder?
To reproduce the work
To prepare derivative works
To distribute copies of the work
To publicly perform the work
To publicly display the work directly or by telecommunication and
The right to publicly perform a sound recording by digital means

When does copyright begin?
Copyright protection begins as soon as an original work is fixed in a tangible medium of expression. Fixation must be done under the authority of or by permission of the author. Publication and/or registration is not required (unpublished works fully protected). Registration is recommended, however. (evidence of ownership, prerequisite to suit, damage award choice, prima facie evidence of fact)

What about the copyright notice?
Before 1978, no notice meant no copyright protection. Now, no notice is necessary for works created after 3/1/89.

When does copyright end?
The term of copyright is currently life of the author plus 70 years. For works for hire or anonymous works, it is 95 years from publication or 120 years from creation, whichever shorter. Unpublished works will enter public domain 12/31/2002 if author deceased > 70 years.

When do works pass into the public domain?
Lolly Gasaway, UNC School of Law
http://www.unc.edu/~unclng/public-d.htm
Peter Hirtle, Copyright Information Center, Cornell University
http://www.copyright.cornell.edu/training/Hirtle_Public_Domain.htm

What is fair use?
Embodies First Amendment concerns: criticisms, commentary, news reporting, teaching, research, and scholarship
Addresses market failures: permits important uses that do not make economic sense

**Fair Use Factors**
The purpose and character of the use.
The nature of the copyrighted work.
The amount and substantiality of the portion used in relation to the copyrighted work as a whole.
The effect of the use on the potential market for or value of the copyrighted work.

**Samples:**
*Fair Use Considerations Worksheet:*
http://www.lib.ncsu.edu/scc/copyright/worksheet.pdf
*Sample Fair Use Guidelines*
  - UT Rules of Thumb:  
    http://www.utsystem.edu/OGC/IntellectualProperty/copypol2.htm#rules
  - Fair Use Guidelines for Educational Multimedia:
    http://www.utsystem.edu/ogc/intellectualproperty/ccmcmguid.htm

**Getting Permission**
Identify, locate, and confirm the copyright holder(s)
Allow plenty of time before anticipated use
Request and receive permission in writing; save all correspondence
Have an alternate plan in the event there is no response, a negative response, an excessive royalty fee, or unacceptable conditions of use

**Permissions Guides**
NCSU Permissions Guide with sample permissions letters:
http://www.lib.ncsu.edu/scc/forms/guide.html
UT Getting Permission page:
http://www.utsystem.edu/OGC/IntellectualProperty/copypol2.htm#perm

**Section 108 Study Group**
http://www.loc.gov/section108/

**Orphan Works: Information from the Copyright Office**
http://www.copyright.gov/orphan/