

## Copyright Document for our Facebook Group: Online Tatting Classes: Regular & Designing Tatting

In this group we will use these Copyright Guidelines for Participation and Posting.

These are quotes from Circulars (<https://www.copyright.gov/circs/index.html>) or the website (simplified or brief overviews) of the U.S. laws of copyright published by the U.S. Copyright Office <https://www.copyright.gov/>

### Copyright

#### “Copyright Basics”

“Copyright is a form of protection provided by U.S. law to authors of “original works of authorship” from the time the works are created in a fixed form. ...A work is “fixed” when it is captured (either by or under the authority of an author) in a sufficiently permanent medium such that the work can be perceived, reproduced, or communicated for more than a short time. Copyright protection in the United States exists automatically from the moment the original work of authorship is fixed.”

#### [Circular 1](#)

#### “What is copyright?”

“Copyright is a form of protection grounded in the U.S. Constitution and granted by law for original works of authorship fixed in a tangible medium of expression. Copyright covers both published and unpublished works.”

#### “How Can I Protect My Work?”

“Copyright exists automatically in an original work of authorship once it is fixed in a tangible medium, but a copyright owner can take steps to enhance the protections of copyright, the most important of which is registering the work. Although registering a work is not mandatory, for U.S. works, registration (or refusal) is necessary to enforce the exclusive rights of copyright through litigation. Applying a copyright notice to a work has not been required since March 1, 1989, but may still provide practical and legal benefits. Notice typically consists of the copyright symbol or the word “Copyright,” the name of the copyright owner, and the year of first publication. Placing a copyright notice on a work is not a substitute for registration.”

<https://www.copyright.gov/help/faq/faq-fairuse.html> “How much of someone else's work can I use without getting permission?”

“Under the fair use doctrine of the U.S. copyright statute, it is permissible to use limited portions of a work including quotes, for purposes such as commentary, criticism, news reporting, and scholarly reports. There are no legal rules permitting the use of a specific number of words, a certain number of musical notes, or percentage of a work. Whether a particular use qualifies as fair use depends on all the circumstances. See [Fair Use](#) and [Circular 21](#), *Reproductions of Copyrighted Works by Educators and Librarians*.”

#### “How much do I have to change in order to claim copyright in someone else's work?”

“Only the owner of copyright in a work has the right to prepare, or to authorize someone else to create, a new version of that work. Accordingly, you cannot claim copyright to another's work, no matter how much you change it, unless you have the owner's consent. See [Circular 14](#) *Copyright Registration for Derivative Works and Compilations*”

### Visual Arts Copyright

<https://www.copyright.gov/registration/visual-arts/index.html>

“The Copyright Act states that “pictorial, graphic, and sculptural works include two-dimensional and three-dimensional works of fine, graphic, and applied art, photographs, prints and art reproductions, maps, globes, charts, diagrams, models, and technical drawings, including architectural plans.” 17 U.S.C. § 101”

## **“Works Commonly Registered In This Category ... fabric designs” and “textile designs”**

### **Circular 40 “Copyright Registration for Pictorial, Graphic, and Sculptural Works”**

“Copyright is a form of protection provided by U.S. law to authors of “original works of authorship,” including “pictorial, graphic, and sculptural works.” The owner of copyright in a work has the exclusive right to make copies, prepare derivative works, sell or distribute copies, and display the work publicly. Anyone else wishing to use the work in these ways must have the permission of the author or someone who has derived rights through the author. A work is automatically protected by copyright when it is created, that is, “fixed” in a copy or phonorecord for the first time. Neither registration in the Copyright Office nor publication is required for copyright protection. There are, however, certain advantages to registration, including establishment of a public record of the copyright claim. “

“Works of the Visual Arts ... Examples of such works include ... • Weaving designs, lace designs, tapestries”

“Copyright protection for an original work of authorship does not extend to • Ideas, concepts, discoveries, principles • Formulas, processes, systems, methods, procedures • Words or short phrases, such as names, titles, and slogans

• Familiar symbols or designs”

### **Circular 14 “Copyright in Derivative Works and Compilations”**

#### **“Right to Prepare Derivative Works”**

“Only the owner of copyright in a work has the right to prepare, or to authorize someone else to create, an adaptation of that work. The owner of a copyright is generally the author or someone who has obtained the exclusive rights from the author. In any case where a copyrighted work is used without the permission of the copyright owner, copyright protection will not extend to any part of the work in which such material has been used unlawfully. The unauthorized adaption of a work may constitute copyright infringement.”

#### **“What does copyright protect?”**

“Copyright, a form of intellectual property law, protects original works of authorship including literary, dramatic, musical, and artistic works, such as poetry, novels, movies, songs, computer software, and architecture. Copyright does not protect facts, ideas, systems, or methods of operation, although it may protect the way these things are expressed. See Circular 1, *Copyright Basics*, section “[What Works Are Protected](#).””

#### **“How Long Does Copyright Last?”**

“In general, for works created on or after January 1, 1978, the term of copyright is the life of the author plus seventy years after the author’s death. ... For works created before January 1, 1978, that were not published or registered as of that date, the term of copyright is generally the same as for works created on or after January 1, 1978. The law, however, provides that in no case would the term have expired before December 31, 2002, and if the work was published on or before that date, the term will not expire before December 31, 2047. For works created before January 1, 1978, that were published or registered before that date, the initial term of copyright was twenty-eight years from the date of publication with notice or from the date of registration. At the end of the initial term, the copyright could be renewed for another sixty seven years for a total term of protection of up to ninety-five years. To extend copyright into the renewal term, two registrations had to be made before the original term expired: one for the original term and the other for the renewal term. This requirement was eliminated on June 26, 1992, and renewal term registration is now optional. For more information on the term of copyright protection, see Duration of Copyright (Circular 6) and Renewal of Copyright (Circular 6A).”

### **Circular 38A “ International Copyright Relations of the United States”**

“...There is no such thing as an “international copyright” that will automatically protect an author’s writings throughout the world. Protection against unauthorized use in a particular country depends on the national laws of that country. Many countries offer protection to foreign works under certain conditions that have been greatly simplified by international copyright treaties and conventions. The United States is a member of many treaties and conventions affecting copyright.

... This publication documents the countries that are parties to specific multilateral copyright conventions or agreements, as well as those that have specific bilateral relationships with the United States. The relevant agreements and their abbreviations are listed below. A list of countries follows, indicating which agreements each country has signed and the date each agreement took effect.”

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