Module 20: Copyright Law
Copyright Law

Copyright Basics can be found at https://www.copyright.gov/circs/circ01.pdf

Copyright terms and the public domain chart can be found at https://guides.library.cornell.edu/copyright/publicdomain

HOW LONG COPYRIGHT PROTECTION ENDURES
Works Originally Created on or after January 1, 1978

A work that is created (fixed in tangible form for the first time) on or after January 1, 1978, is automatically protected from the moment of its creation and is ordinarily given a term enduring for the author's life plus an additional 70 years after the author's death. In the case of "a joint work prepared by two or more authors who did not work for hire," the term lasts for 70 years after the last surviving author's death. For works made for hire, and for anonymous and pseudonymous works (unless the author's identity is revealed in Copyright Office records), the duration of copyright will be 95 years from publication or 120 years from creation, whichever is shorter.

Works Originally Created before January 1, 1978, But Not Published or Registered by That Date

These works have been automatically brought under the statute and are now given federal copyright protection. The duration of copyright in these works will generally be computed in the same way as for works created on or after January 1, 1978: the life-plus-70 or 95/120-year terms will apply to them as well. The law provides that in no case will the term of copyright for works in this category expire before December 31, 2002, and for works published on or before December 31, 2002, the term of copyright will not expire before December 31, 2047.

Works Originally Created and Published or Registered before January 1, 1978

Under the law in effect before 1978, copyright was secured either on the date a work was published with a copyright notice or on the date of registration if the work was registered in unpublished form. In either case, the copyright endured for a first term of 28 years from the date it was secured. During the last (28th) year of the first term, the copyright was eligible for renewal. The Copyright Act of 1976 extended the renewal term from 28 to 47 years for copyrights that were subsisting on January 1, 1978,
or for pre-1978 copyrights restored under the Uruguay Round Agreements Act (URAA), making these works eligible for a total term of protection of 75 years. Public Law 105-298, enacted on October 27, 1998, further extended the renewal term of copyrights still subsisting on that date by an additional 20 years, providing for a renewal term of 67 years and a total term of protection of 95 years.

Public Law 102-307, enacted on June 26, 1992, amended the 1976 Copyright Act to provide for automatic renewal of the term of copyrights secured between January 1, 1964, and December 31, 1977. Although the renewal term is automatically provided, the Copyright Office does not issue a renewal certificate for these works unless a renewal application and fee are received and registered in the Copyright Office.

Public Law 102-307 makes renewal registration optional. Thus, filing for renewal registration is no longer required in order to extend the original 28-year copyright term to the full 95 years. However, some benefits accrue from making a renewal registration during the 28th year of the original term.

Accessed @ http://www.copyright.gov
Useful Web Sites for Copyright and Licensing

United States Copyright Office
https://www.copyright.gov/

The Library of Congress Online Catalog
https://catalog.loc.gov/

Cornell Library Copyright Resources
https://guides.library.cornell.edu/copyright

Checklist for Conducting a Fair Use Analysis Before Using Copyrighted Materials
https://guides.library.cornell.edu/ld.php?content_id=63936868

Visual Artists Rights Act (VARA), 1990
https://www.copyright.gov/reports/exsum.html

World Intellectual Property Organization

National Initiative for a Networked Cultural Heritage (NINCH)
https://www.ninch.org/

Berne Convention for the Protection of Literary Works

Association Littéraire Artistique Internationale
https://www.alai.org/en/

American Library Association
https://www.ala.org/

Professor Laura Gasaway’s Publications on Copyright
https://law.unc.edu/people/laura-n-gasaway/

Researching U.S. Treaties and Agreements – Marci Hoffman
https://www.llrx.com/2001/05/features-researching-u-s-treaties-and-agreements/

Crash Course in Copyright – Georgie Harper
https://www.loc.gov/item/2006619996/
Artists Rights Society  
http://www.arsny.com

ASCAP  
http://www.ascap.com

BMI  
http://www.bmi.com

National Music Publishers Association  
http://www.nmpa.org

Movie Archive  
http://www.moviearchive.org

Motion Picture Licensing Corporation  
https://www.mplc.org/

Creative Commons  
http://www.creativecommons.org

Getty Images  
https://www.gettyimages.com/

What is Fair Use? Stanford Libraries  
https://fairuse.stanford.edu/overview/fair-use/what-is-fair-use/