What Is Copyright?

Copyright is a form of protection provided by the laws of the United States (title 17, U.S. Code) to the authors of ‘original works of authorship,’ including literary, dramatic, musical, artistic, and certain other intellectual works. This protection is available to both published and unpublished works. Copyright affords the author of a work certain rights, including the right to reproduce it and to distribute copies of the work.

US copyright law is complicated and nuanced, but it is safe to assume that works created and published in the United States before 1923 are in the public domain. For works created after 1923, various terms of copyright apply, depending on the circumstance. The most conservative measure is to assume copyright extends for the life of the author plus 70 years.

Material That Requires Permission

- Quotations of over 300 words from a book
- Quotations of over 50 words from a journal, newspaper, or magazine article
- Reproduction of certain works of art
- Photographs
- Charts, tables, or graphs
- Reproduction of web pages or screenshots
- Any third-party software used in a cd, dvd, or website supporting an author’s work
- Film stills
- Reproduction of advertisements
- Certain trademark usage
- Certain photographs containing recognizable people

Material That Does Not Require Permission

- When the work is in the public domain.
- When you are linking to something.
- When the work is licensed under Creative Commons
- When you abide by fair-use guidelines. If you’re only quoting a few lines from a full-length book, you are likely within fair-use guidelines, and do not need to seek permission. BUT this is a gray area.
- Direct quotes from interviews (conducted by the author)
- Facts or ideas
- Certain limited use of trademarks, logos, and company names. Permission is not needed when used for informational, editorial (part of an article or story) purposes, or as part of an accurate comparative product statement.
- Mathematical and chemical equations