



**Liberty University**

---

**From the Selected Works of Barbara Potts**

---

June, 2021

# Copyright Basics

Barbara Potts



---

Available at: [https://works.bepress.com/barbara\\_potts/22/](https://works.bepress.com/barbara_potts/22/)

# Copyright Basics

## Purpose

The purpose of this guide is to assist the higher education community in understanding the basic concepts of the Copyright Law of the United States and how it impacts the use of copyrighted materials by students, faculty, and staff. This is not legal advice and should not be considered as such. I want to help you make informed decisions.

## What is copyright?

Copyright gives an author/creator exclusive rights to original items they create that are "fixed in a tangible medium of expression," meaning that the items are recorded, written, in a physical state, or saved as a computer file. An exception for ownership would be "[works made for hire](#)" resources.

These exclusive rights include:

1. making copies
2. making derivative works
3. selling or transferring ownership
4. performing publicly
5. displaying publicly
6. transmitting an audio work publicly

There are limitations to exclusive rights such as fair use, library exceptions, first sale doctrine, face-to-face teaching, TEACH Act, and exceptions for blindness and other disabilities.

## What types of works are protected?

Original, creative works that are "fixed in a tangible medium of expression" are automatically protected by copyright. These works include:

literary works  
musical work  
dramatic works  
choreography  
works of art  
audiovisual works  
sound recordings  
architectural designs

### **Items that are NOT protected by copyright:**

ideas  
facts  
works in the public domain  
simple listings such as a table of contents  
names, titles, and short phrases  
procedures  
calendars  
symbols or designs

## How to use works protected by copyright?

There are certain instances in which you can legally and ethically use copyrighted works. These include:

- uses of works as part of [face-to-face teaching](#)
- uses that fall within [fair use guidelines](#)

- uses in which all requirements TEACH Act requirements are met
- works in the [public domain](#)
- works with a [Creative Commons](#) license
- uses for which you have [permission](#) from the copyright holder

## How long is the work protected by copyright?

Copyright expires after a specified period of time. Once copyright expires, the materials become part of the public domain and can be used freely.

- Works created after 1977 are protected for the life of the author plus 70 years.
- Works published between 1925-1977 [may still be protected](#), depending on the date of publication, type of authorship, presence of a copyright notice, and whether or not the copyright was renewed.
- Works published before 1926 are in the public domain and can be used freely.

The [Copyright Information Center](#) provides a detailed chart for determining the copyright status of works based on their date of publication and other considerations. Copyright varies by country, and some countries have created international agreements. Please contact [scholarlycommunications@liberty.edu](mailto:scholarlycommunications@liberty.edu) for more information on international copyright and public domain.

## Where can I find more detailed information?

- [Copyright.gov Circulars](#) are published by the U.S. Copyright Office to provide up-to-date information to the general audience.
- The [Copyright Law of the United States](#) publication contains text from Title 17 of the United States Code, including up-to-date amendments enacted by Congress.
- The [Library Copyright](#) site assists users with Section 108, preservation and reproduction of items for libraries and archives.
- [Reproduction for blind or other people with disabilities](#) statute in Section 121 of Title 17 text regarding the limitations on exclusive rights.
- [First Sale Doctrine](#) refers to the rights of an owner of a copyrighted work. The owner of the work can sell, lend, or share their copy without having to gain permission. This is similar to purchasing a paperback that you can sell, lend, or share.

## Rights to use

This work is licensed under a [Creative Commons Attribution 4.0 International License](#).