

Understanding Copyright, Public Domain, and Fair Use

Whether you're a local artist composing your own music or a massive studio filming the next blockbuster, all creators should understand how copyright, public domain, and fair use affect their work.

Although these legal concepts can be somewhat confusing, we are here to break things down into easily understood language. Keep in mind that this video should not be taken as legal advice. Also, we'll be focusing on copyright in the United States.

Copyright is the concept that original works—such as writing, photos, or music—belong to the people who create them, and that you cannot use, copy, modify, or publish that work without permission. If you violate copyright, it's called copyright infringement, and you may face steep consequences such as lawsuits or criminal charges.

The vast majority of movies, music, books, photos, and other types of popular media are protected by copyright. Generally, those copyrights last for the lifetime of the creator plus 70 years after their death. However, the duration of a copyright can vary due to its publication date and ever-changing copyright laws.

When a work has no copyright protection, it enters the public domain. Content in the public domain can be used, modified, and published without permission or restriction. This includes all works published prior to 1923 as well as works with expired copyrights. Creators can also place their content in the public domain if they desire.

Although you normally need permission to use copyrighted material in your own work, there is an exception called fair use. Fair use allows you to use brief portions of copyrighted works without permission for certain types of use, such as criticism, teaching, or news reporting.

However, fair use can get tricky. For instance, you may not be able to claim fair use if you use the copyrighted work for a commercial purpose or take too much of it. When in doubt, always respect the creator's copyright and use as much of your own material as possible to avoid issues.

Although copyright, public domain, and fair use can seem like giant, complicated subjects, you should now have a better understanding of the basics.