

Copyright for writers: Get to grips with the basics

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<https://www.scottishbooktrust.com/articles/copyright-for-writers-get-to-grips-with-the-basics#:~:text=You%20own%20the%20copyright%20of,%2C%20film%2C%20recording%2C%20etc>

Copyright is a much misunderstood issue, and one that's important to grasp when you're working as a writer. Here's a quick rundown of the basics to help you understand who holds the rights to your work – and how you can protect them.

What is copyright?

Copyright is a type of intellectual property that protects original works of authorship that have been 'fixed' in a tangible form of expression.

That's the official description. What it means is that when you create something, and write it down or record it, you are understood, legally, to be the author, and to hold the copyright for it. Copyright does not cover things like titles, names and slogans, or listings of things like ingredients, and it does not cover ideas. Those ideas have to be expressed creatively in a concrete format in order to be copyrighted.

What does copyright allow?

Copyright allows you to license the work for payment, to publicly display the work, to perform it, to sell the rights, and to make derivative works. Owning copyright means you are the person who decides what is done with your work, whether that's selling the rights for it to be made into a Hollywood film or publishing it yourself as a limited edition pamphlet.

Who owns copyright?

You own the copyright of any work that you create. It's important to note that you should remain the copyright owner even if your work becomes a published book, play, film, recording, etc. On the event of your death, the copyright of any work you created in your lifetime will pass to a named person, your literary executor.

How long does copyright last?

In the UK, any literary, dramatic, musical or artistic work created since 1 August 1989 has a copyright term of the author's life plus seventy years. If you write a book today, copyright will last until seventy years after your death. Broadcasts, films and computer-generated works have a slightly different copyright term: fifty years from the date of creation (or the date of availability).

Am I required to give my copyright away?

A key point to understand is that if you receive payment for your work to be exploited – that is, for it to be turned into a book, a stage play, a radio broadcast, etc – you are not selling your copyright to that work. Rather, you're giving people the limited-time, exclusive right to use your work for those specific purposes. If you send a poem, for example, to a literary journal and they print that poem in return for a small payment, they do not own that poem. They have paid you for the rights to print it in that journal, and nothing more.

You *can* give up all of your rights in return for (a hopefully enormous) amount of money, but you will still be recognised as the author of that work.

The Society of Authors can help you to understand your rights, and has many accessible guides for its members – as well as a team of advisors to help you work through any confusion or issues that arise.

You can also read more in the Society of Author's guide to copyright and permissions