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UK Copyright Law

This fact sheet outlines the laws covering copyright in the United Kingdom and the work to which it applies.

1. **Introduction**
   Copyright law and copyright originated in the UK from a concept of common law; the Statute of Anne 1709. It became statutory with the passing of the Copyright Act 1911. The current act is the Copyright, Designs and Patents Act 1988.
   The law gives the creators of literary, dramatic, musical, artistic works, sound recordings, broadcasts, films and typographical arrangement of published editions, rights to control the ways in which their material may be used.
2. **Types of work to which copyright applies**
   i. **Literary**
   Song lyrics, manuscripts, manuals, computer programs, commercial documents, leaflets, newsletters and articles etc. Computer programs regulations in 1992 also extended the copyright of literary works to include computer programs.
   ii. **Dramatic**
   Plays, dance, etc.
   iii. **Musical**
   Recordings and score.
   iv. **Artistic**
   Photography, painting, sculptures, architecture, technical drawings/diagrams, maps, logos, etc.
   v. **Typographical arrangement of published editions**
   Magazines, periodicals, etc.
   vi. **Sound recording**
   May be recordings of other copyright works, e.g. musical and literary.
   vii. **Films**
   viii. **Broadcasts and cable programs**
3. **When copyright occurs**
   Copyright arises whenever an individual or company creates a work: A work is subject to copyright if it is regarded as original, and must exhibit a degree of labour, skill or judgement.
   Interpretation is related to the independent creation rather than the idea behind the creation. For example, your idea for a book would not itself be protected, but the actual content of a book you write would be.
   Names, titles, short phrases and colours are not generally considered unique or substantial enough to be covered, but a creation, such as a logo, that combines these elements will be.
4. **Who owns the copyright on a piece of work**
   Normally the individual or collective who authored the work will exclusively own the work and is referred to as the 'first owner of copyright' under the 1988 Copyright, Designs and Patents Act.
   However, if a work is produced as part of employment then the first owner will normally be the company that is the employer of the individual who created the work.
   Freelance or commissioned work will usually belong to the author of the work, unless there is an agreement to the contrary, (e.g. in a contract for service).
   Just like any other asset, copyright may be transferred or sold by the copyright owner to another party.
   Rights cannot be claimed for any part of a work which is a copy taken from a previous work. For example, in a piece of music featuring samples from a previous work, the copyright of the samples would still remain with the original author.
   Only the owner, or their exclusive licensee can bring proceedings in the courts.
5. **Duration of copyright**
   The 1988 Copyright, Designs and Patents Act states the duration of copyright as:
   i. **For literary, dramatic, musical or artistic works**
   70 years from the end of the calendar year in which the last remaining author of the work dies*, or,
   If the author is unknown, copyright will last for 70 years from end of the year in which the work was created; if it is made available to the public during that time, (by publication, authorised performance, broadcast, etc.), copyright will run for 70 years from the end of the year that the work was first made available.
   ii. **Sound Recordings**
   50 years from the end of the calendar year in which the work was created, or,
   If the work is published, or otherwise made available to the public by the rights owner within that time, 70 years from the end of the year that the work was first published or made available.
   iii. **Films**
   70 years from the end of the calendar year in which the last principal director, author or composer dies*.
   If the work is of unknown authorship: 70 years from end of the year of creation, or if made available to the public in that time, 70 years from the end of the year the film was first made available
   iv. **Typographical arrangement of published editions**
   25 years from the end of the calendar year in which the work was first published.
   v. **Broadcasts and cable programmes**
   50 years from the end of the calendar year in which the broadcast was made.
   vi. **Crown Copyright**
   Crown copyright exists in works made by an officer of the Crown, this includes items such as legislation and documents and reports produced by government bodies.
   Crown copyright will last for a period of 125 years from the end of the calendar year in which the work was made.
   If the work was commercially published within 75 years of the end of the year in which it was made, Crown copyright will last for 50 years from the end of the calendar year in which it was published.
   vii. **Parliamentary Copyright**
   Parliamentary copyright will apply to work that is made by or under the direction or control of the House of Commons or the House of Lords and will last until 50 years from the end of the calendar year in which the work was made.

   * When a work is created on behalf of a company, duration is linked to the individual person that created the work. Guidance issued by the UK Government states: "An employer should keep careful records of which person(s) created the work for them and any contractual agreements which were in force. The period of copyright protection will usually still be linked to the date of the death of the creator(s) - that is the employee(s)."
6. **Acts restricted by copyright**
   It is an offence to perform any of the following acts without the consent of the copyright owner:
   i. Copy the work.
   ii. Rent, lend or issue copies of the work to the public.
   iii. Perform, broadcast or show the work in public.
   iv. Adapt the work.

   The author of a work, or a director of a copyright film may also have certain moral rights:
   v. The right to be identified as the author.
   vi. Right to object to derogatory treatment.

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7. **Acts that do not infringe copyright**

"Fair Dealing" is a term used to describe acts which are permitted to a certain degree (normally copies of parts of a work) without infringing copyright, these acts are:

i. Private and research study purposes.
ii. Performance, copies or lending for educational purposes.
iii. Criticism and news reporting.
iv. Incidental inclusion.
v. Acts for the purposes of Royal Commissions, statutory enquiries, judicial proceedings and parliamentary purposes.
vi. Recording of broadcasts for the purposes of listening to, or viewing, at a more convenient time. This is known as time shifting.
vii. Producing a back up copy for personal use of a computer program.

8. **Useful addresses**

Intellectual Property Office
Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ
Tel: 0300 300 2000.
www.ipo.gov.uk

PRS for Music
29-33 Berners Street
London
W1P 4AA
Tel. 02075 805 544
www.prsformusic.com

Copyright Licensing Agency
Saffron House
6-10 Kirby Street
London
EC1N 8TS
Tel. 020 7400 3100
cla.co.uk

9. **Further reading**

The full text for the 1988 Copyright Designs and Patent Act can be found at the OSPI (HMSO) website.

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9. **Common questions**

Can I copyright an idea?
No. Copyright may protect a work, drawing or plan that outlines the idea, but copyright cannot prevent the idea itself from being used elsewhere. If the idea is an invention, it may be possible to apply for a patent.

Are names protected by copyright?
No. There is no copyright in a name, title, slogan or phrase. These may however be eligible for registration as a trade mark. For more information contact the Intellectual Property Office.

What about work published on the Internet?
It makes no difference how the work is stored or published, copyright law still applies.

What about music which is made up of sample and loops of other songs?
Although the work for the main part may be original, and copyright apply will apply to the specific arrangement, the parts which were copied from another track would retain the original copyright. You should seek permission from the author of the samples before you consider publishing or broadcasting such a work.

What about computer programs and material stored in computers?
Under the Copyright Designs And Patents Act, computer programs are now protected as literary works.
Databases may receive copyright protection for the selection and arrangement of the contents. Also database right may exist in the data itself. This is an automatic right and protects databases against the unauthorised extraction and re-utilisation of the contents of the database. Database right lasts for 15 years from the making but, if published during this time, then the term is 15 years from publication.

What constitutes a copyright work?
Any literary, dramatic, design, musical or artistic work. So long as the work, "exhibits a degree of skill, labour or judgement".

Can Copyrights be inherited?
Yes. The person who inherits the work will become the new copyright owner.

Does format or quality of the work matter?
Copyright exist in works regardless of format, and regardless of the quality of the work.

What happens when a copyright expires?
The work will fall into the public domain, making it available to all. This is why so many companies can publish works by William Shakespeare, classical composers etc.

Where can a copyright licence or permission for use be obtained from?
The Copyright Licensing Agency licenses users to copy extracts from books, journals and periodicals. They collects fees from licensed users and pay authors and publishers their shares of the copying fees. For other works you should contact the publisher of the work, as they will certainly know how to obtain permission or a licence to use the work.

Is a licence needed for the public performance of music?
Yes, to obtain a performance licence contact PRS for Music.

How does copyright apply in works which contains extracts, quotes etc.?
Any extracts or quotes would retain the original authors copyright, and permission should be sought before using them.

How does copyright differ from a patent?
A patent protects the concept, idea or invention itself whereas copyright would protect the written description of the idea. A breach of copyright would occur if the written description was copied, whilst a patent would protect the idea being put into use. For more information on patents, contact the Intellectual Property Office.

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Using Copyright Notices

This fact sheet explains copyright notices and how to use them to best effect in protecting your work.

Copyright notices

1. **What is a copyright notice?**
   A copyright notice is a piece of text which accompanies a work and expresses the rights and wishes of the copyright owner(s).
2. **Do I need a copyright notice?**
   There is no legal requirement to include a copyright notice. Whether a notice is used or not will not change the fact that copyright exists in the work. It is however strongly recommended that you include one on your work if at all possible to deter copyright infringement. The aim of a copyright notice is to:
   - Announce that copyright exists in the work.
   - Provide a means of identifying the copyright owner.
   - Deter infringement or plagiarism.
3. **What does a copyright notice consist of?**
   - **Copyright**
     Some countries will not accept the copyright symbol, they also require the word Copyright to appear in order to consider the notice valid. Using the word ensures that there can be no confusion.
   - **©**
     The normally recognised copyright symbol. Most countries across the world accept this as the correct manner of displaying copyright.
   - **Year of publication**
     In case of a dispute of ownership of a work, the date plays an important part. If your work was developed and published before any potential opponents then you can usually expect to win any case which challenges your rights.
     In the case of work which is continually updated, (for example a website), the year of publication may be shown as a period from first publication until the most recent update, (e.g. 2000-2026).
     In the case of unpublished work, it is the common practice to state the year of creation.
   - **Copyright owner name**
     This may only be one person, or it may be a collective, a band, group or team for example: If one person owns the rights to a work their name will appear on its own. If however, your work is owned by several people then you may choose to include the name of each member of the collective, or include the name of the collective itself.

     This would give your copyright notice the following appearance:

     Copyright © 2026 Bobby Smith.
4. **Using a pseudonym**
   Although it may not be technically correct (it does not state the name of the legal entity that is the copyright owner), it is very common for an identifiable pseudonym or trading name to be used in the copyright notice to afford the copyright owner some degree of anonymity through obfuscation.
5. **Attribution**
   If your work includes excerpts, quotes, images, etc. from other people's work, or adapts another work, you should also include acknowledgements for the copyright of any parts that you have used which are not your own. Also ensure that you obtain permission for use before publishing such a work.
4. **Where should the notice be placed?**
   The rule to adopt is to ensure that anyone with access to your work is aware of the copyright. If your work can be broken up into several pieces, then the notice should appear on each part. If it would normally be viewed as a whole then one will suffice.
   i. **Written work**
      For books, manuscripts, and other written documents, you should only need one notice, typically this is on the first page or inside the front cover.
   ii. **Leaflets, commercial documents, etc.**
      Each item should contain a notice.
   iii. **Websites**
      Websites should have one on every page.
   iv. **Music**
      For physical media, one is placed on the Compact Disc, cassette, LP (etc.) itself, and one is included on the accompanying sleeve or booklet.
      For electronic files it is normally possible to add a notice to the file metadata (e.g. ID3 tags).
   v. **Photographs and designs**
      Place a notice at the bottom or on the reverse of the work, or as a watermark across the image.
   vi. **Films**
      Place one notice on the DVD, BluRay Disc or video cassette, and one on any accompanying sleeve or booklet. It is normal to also place a notice at the start of the film itself before any protected material may be displayed.
5. **Copyright in sound recordings ℗**
   Sound recordings have a copyright separate from the underlying musical composition, and a sound recording should carry a phonographic copyright notice (denoted by the P in a circle) for the recording itself.
   The standard © notice should also be used, but in the case of sound recordings this is used to protect the cover design, lyric sheets or other printed material included with the sound recording.

   In our example, this would give the appearance of the notice as:

   Copyright © 2026 Bobby Smith, ℗ 2026 Bobby Smith.
6. **Copyright symbols**
   - **©**
     Most word processing programs the © symbol can be found under the 'Insert' menu either under 'Symbol' or 'Special Character'.
     For websites the HTML entity is ©
   - **℗**
     On most computers the ℗ symbol can be found within the Webdings font.
     For websites the HTML entity is ℗

You may also wish to increase your notice in order to clarify any further wishes you have as the copyright owner, this is dealt with in the following sections.

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Extending your copyright notice

7. **Why extend your notice?**
   This may be useful if there are certain conditions you wish to attach to the work, for example licensing requirements.
   In some circumstances it may be beneficial to allow some activities that would normally be prohibited. You may include instructions about what conditions must be met, or how to apply for a licence to carry out these actions.
   In other cases you may wish to simply make it clear that you are withholding all rights, and often the notice is simply extended purely to emphasise the author's strong stance on copyright protection.
   To extend your notice, you should simply include a statement that explicitly sets out these terms, the statement should appear as a sentence after the copyright notice.
8. **Wording your statement**
   There are several items to think about when wording your statement. Decide in relation to your work, what you wish to permit. Be specific in your wording, make it clear what you will allow and what is prohibited.
   Probably the best starting place is to think from the point of view of withholding all rights and then carefully word any allowances as exceptions, making sure it is clear that these are the only allowances you will make.
   Here are some areas to consider:
   i. **Copying, duplication, reproduction**
      The right to produce a copy of the work.
      Do you wish certain groups to be able to copy your work? if so what terms would you attach?
   ii. **Selling, hiring**
      Normally this would be expressly forbidden without the copyright holders consent.
   iii. **Distribution**
      You may for example have written a software program that you allow to be shared so long as you are identified as the author.
   iv. **Commercial, personal, or educational usage**
      Will you allow your work to be used differently by certain groups or individuals?
      Educational or private study use is generally permitted under law in any case, but you may want to allow copying for private use but not for commercial gain.
   v. **Licences**
      For software, commercial, and educational documents in particular, the copyright notice may carry information about obtaining a licence to reproduce the work
      By not obtaining a licence, use of the work may be considered in breach of copyright.
9. **Right to be identified as the author**
   If for example, the work is distributed without your control, you will wish to ensure that you are still identified as the author/copyright owner.

   Note: Copyright is not normally infringed by acts done in the course of private research or study, criticism, or news reporting.
10. **Examples of statements**
    "*All rights reserved.*"

    A simple cover all statement. It simply means that you withhold all rights to the maximum extent allowable under law. This is in fact the default position, (legally it is the same as having no statement), but the statement is commonly used by authors to emphasise that they take their rights seriously.

    "*Any unauthorised broadcasting, public performance, copying or recording will constitute an infringement of copyright.*"

    Again this is reiterating the default position (it does not provide any additional legal protection) but you will commonly see such statements added as an attempt to deter infringement. This one is designed for use on sound recordings, but can easily be adapted to apply to other types of work. The wording makes it clear that the authors rights are taken very seriously. For maximum effect you can combine these two examples.

    "*Permission granted to reproduce for personal and educational use only. Commercial copying, hiring, lending is prohibited.*"

    For businesses and organisations this kind of notice can be of mutual benefit as allowing reproduction may help to promote their message.

    "*May be used free of charge. Selling without prior written consent prohibited. Obtain permission before redistributing. In all cases the copyright notice must remain intact.*"

    This is the type of notice often used for software distributed as "freeware" or "shareware", by specifying that the copyright notice remains intact you ensure that all copies will identify you as the author.

    Remember, copyright notices are straightforward statements, there is no need to get tied up with legal jargon, the point is to state your wishes clearly and succinctly.

Additional deterrent against infringement

11. **Notice of registration**
    Works that have been registered with the UK Copyright Service may also include a statement to that effect. This is an additional deterrent which notifies others that there is very strong evidence with which to pursue a case if the work is infringed. The notice would normally appear next to or below the copyright notice and state. 'This work is registered with the UK Copyright Service'. The statement may also include the registration number.

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Copyright Infringement

This fact sheet outlines the suggested procedure to follow in the event that your work is infringed.

1. **Who can take legal action**
   Under the terms of copyright law only the copyright owner of a work (or their exclusive licensee) can bring legal action against the infringer.

2. **Has an infringement actually occurred**
   Be clear in your mind that an infringement has actually occurred and that this is not simply a case of incidental inclusion or coincidence.
   The work should be substantially similar in design, structure or content to the degree that it can be said that the work was copied or adapted from your original.
   If in doubt, it is a good idea to show both works to a friend or colleague for a second opinion.

3. **Gather your evidence**
   The success or failure of your case will rely on the quality of the evidence, so take time to gather your facts carefully.
   Your evidence should include:
   i. *A copy of the infringing work.*
   Wherever possible, obtain a copy of the infringing work, this will prove valuable if the other party later changes the content in an attempt to deny your claim.
   ii. *A copy of your work.*
   Using the copy of your work, note specific examples of where the two works match.
   Particularly good evidence is if you can find duplication of unique aspects of your work, for example, if an error in your original has been duplicated in the copy.
   iii. *Date of registration and a copy of the registered version of your work (where applicable).*
   For work registered with the UK Copyright Service the registration date (which is found on the registration certificate) represents the date from which you can prove that the work was in existence. If the work has evolved since registration, it is a good idea to also have a copy of the registered version, and match the infringing work against this.
   iv. *Other dated documents.*
   Any letters or other documents referring to the work before the date of infringement.
   v. *Developmental work.*
      a. Rough drafts.
      b. Previous versions.
      c. Synopsis, etc.

   These represent what is called evolution of ideas and are good as evidence to demonstrate that you developed the work rather than stealing it.

4. **Contact the copyright infringer**
   The first step is to make the infringer aware of your objection and put forward a reasonable settlement and time scale to reach the settlement.
   In your letter you should include:
   i. The name of the work(s) you are objecting to.
   ii. The reason why this is an infringement, e.g. an unauthorised copy, adaptation etc.
   iii. State that you believe this act constitutes and infringement of copyright. That your work is protected under copyright law and that this infringement constitutes a breach of your legal rights.
   iv. State that the infringement must stop.
   v. State what action is required to resolve the dispute, usually you would request the withdrawal of all copies of the work, (and any other encroaching materials).
   vi. Specify a deadline for your conditions to be met; e.g. 14 days.
   vii. State that you are seeking legal advice and that the case will be pursued if they do not comply with your request within the time period.

   More details and example letters can be found in our guide at https://copyrightservice.co.uk/protect/cease-and-desist-letter
   It is normal to simply request the withdrawal of all infringing work as the first course of action, if however you believe that you are entitled to financial remuneration, such as damages or royalties, then contact a solicitor or lawyer immediately.

5. **Important points to note**
   i. If the infringing material is being published on-line, also contact the service provider hosting the site, or providing the network access for the site, and let them know of the infringement. In many countries the Internet Service Provider may be liable if they knowingly allow infringement on their networks to continue, so they will often act swiftly to remove the offending content of the site owner does not.
   ii. Wherever possible, keep a dated copy of the infringing material, (and ideally also send this to your solicitor). This will ensure that you always have evidence of the infringement in case of future problems.
   iii. Keep a copy of all correspondence you send or receive.
   iv. Do not sign any contracts or agreements unless you are certain what they involve and that it is in your interest to do so.
   v. If you are in any doubt, or do not receive satisfaction, speak to a solicitor or lawyer.
   vi. If you are a trading company, and the infringement is by a competitor with a similar name, though not directly a copyright claim, if you can establish that you were there first, then the infringer may also be guilty of trading off your name or reputation.
   vii. Always remain calm and courteous in your correspondence, do not allow yourself to get drawn into heated argument or debate. A professional and fair attitude will be a credit to you in the long run.

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6. **Further action**

   If you have not settled the dispute within the deadline, or if you believe that you are entitled to damages and/or royalties, then you should present your evidence to your solicitor or lawyer for a proper assessment on how to proceed).

   One option may be to make a claim through a small claims court hearing. Whether this option is available will depend on you location and where the infringement occurred.

   In the UK there is the Intellectual Property Enterprise Court (formerly the Patents County Court), that deals with intellectual property claims, including patent, copyright and trademark disputes; for details, please visit www.gov.uk/government/organisations/intellectual-property-enterprise-court/about

7. **Engaging a solicitor**

   If you do not have a solicitor, contact your local Citizens Advice Bureau, or Business Advice Centre who will be able to put you in touch with a recommended solicitor in your area. Many solicitors will offer a free half hour consultation for new clients, and it is well worth taking advantage of this to have the merit of your case professionally assessed.

   Once your case is in the hands of a solicitor it is best to stick to this course and refer all correspondence through your solicitor. This also has the benefit of demonstrating that you are not likely to back down, and you will have a good chance of being taken seriously.

8. **Benefit of a UKCS registration**

   If your work is registered with the UKCS, the independent evidence your registration provides gives you the best possible chance of proving your case. Effectively forcing the other party to provide similar evidence which predates your registration if they are to have any chance of defending their position.

   The irony is that by having such strong evidence you are often unlikely to need it in a formal legal proceeding. When the other party realises strength of your case they will normally wish to come to an amicable agreement.

   You can of course call on UKCS for duplicate certificates and to provide a copy of the registered work if required, but your solicitor will be the best informed person to advise you on how to pursue the case from this point.

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Using the work of others

1. **Scope**
   This fact sheet deals with the rules applied under UK law namely the Copyright, Designs and Patents Act. Although the principals of copyright protection are largely consistent across the world specific details may vary outside the UK due to national legislation.
2. **Rights of the copyright owner**
   Copyright is an automatic international right that gives the creators of literary, dramatic, musical and artistic works the right to control the ways in which their material may be used.
   The rights cover: Broadcast and public performance, copying, adapting, issuing, renting and lending copies to the public. In many cases, the creator will also have the right to be identified as the author and to object to derogatory treatment and distortions of their work.
   For an introduction to copyright and the rights of copyright owners, please see our factsheet P-01 'UK Copyright Law'.
3. **Respecting the rights of others**
   Illegal or unauthorised use of copyright material may lead to legal action or in some cases even criminal charges. It is your responsibility to ensure that you respect the rights of others and only use their work when it is correct to do so.
4. **Using the work of others**
   You may use the work of others if:
   - Copyright has expired.
   - Your use of the work is fair dealing as defined under the 1988 Copyright Designs and Patents Act (UK).
   - Your use of the work is covered under a licensing scheme that you have subscribed to and the copyright holder is a member of.
   - The copyright holder has given you permission.
5. **Licensing schemes**
   There are a number of agencies that operate licensing schemes and collect royalties on behalf of copyright owners, the most notable are:
   - Copyright Licensing Agency (CLA)
     The Copyright Licensing Agency provides licenses for organisations, such as schools and libraries, to copy extracts from print and digital publications. There are several different licences (photocopying, scanning, electronic reproduction, etc.).
     State schools may be able to obtain CLA licences via their local education authority if the authority is a CLA agent.
     Website:https://cla.co.uk/
   - Educational Recording Agency (ERA)
     The Educational Recording Agency operates a licensing scheme enabling educational use of copyright protected material from radio and television programmes.
     Website: https://www.era.org.uk/
   - The Design and Artists Copyright Society (DACS)
     The Design and Artists Copyright Society operates a licensing scheme and on behalf of artists and visual creators.
     Website: https://www.dacs.org.uk/
6. **What is fair dealing?**
   Fair dealing is a term used to describe some limited activities that are allowed without infringing copyright. Briefly these are as follows:
   - **Research and private study**
     Copying parts of a literary, dramatic, musical or artistic work or of a typographical arrangement of a published edition for the purpose of research or private study is allowed under the following conditions:
     - The copy is made for the purposes of research or private study.
     - The copy is made for non-commercial purposes.
     - The source of the material is acknowledged.
     - The person making the copy does not make copies of the material available for a number of people.
   - **Instruction or examination**
     Copying parts of a literary, dramatic, musical or artistic work or a sound recording, film or broadcast for the purpose of instruction or examination is allowed under the following conditions:
     - The copying is done by the student or the person giving instruction.
     - The copying is not done via a reprographic process.
     - The source of the material is acknowledged.
     - The instruction is for a non-commercial purpose.
   - **Criticism or review**
     Quoting parts of a work for the purpose of criticism or review is permitted provided that:
     - The work has been made available to the public.
     - The source of the material is acknowledged.
     - The material quoted must be accompanied by some actual discussion or assessment (to warrant the criticism or review classification).
     - The amount of the material quoted is no more than is necessary for the purpose of the review.
   - **News reporting**
     Using material for the purpose of reporting current events is permitted provided that:
     - The work is not a photograph.
     - The source of the material is acknowledged.
     - The amount of the material quoted is no more than is necessary for the purpose.
   - **Incidental inclusion**
     Incidental inclusion is where part of one work is unintentionally included in another. The incidental inclusion of a work in an artistic work, sound recording, film or broadcast is not an infringement.
     A typical example of this would be a case where someone filming inadvertently captured part of a copyright work, such as some background music, or a poster that just happened to on a wall in the background.
   - **Accessibility for someone with a visual impairment**
     It is considered fair dealing to make an accessible copy of a work for someone with a visual impairment if a suitable accessible version is not already available.

   For further details on UK fair dealing rules please refer to the Copyright Designs and Patents Act; Section 28 onwards covers this area in full.
   Those outside the UK should consult the fair dealing / fair use sections of their own national legislation.

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7. **When does copyright expire?**

The 1988 Copyright, Designs and Patents Act states the duration of copyright as:

i. **For literary, dramatic, musical or artistic works**
70 years from the end of the calendar year in which the last remaining author of the work dies. If the author is unknown, 70 years from end of the calendar year in which the work was created or first made available to the public (whichever is longer).

ii. **Sound Recordings**
50 years from the end of the calendar year in which the work was created. If the work is published, or otherwise made available to the public by the rights owner within that time, 70 years from the end of the year that the work was first published or made available.

iii. **Films**
70 years from the end of the calendar year in which the last principal director, author or composer dies. If the work is of unknown authorship: 70 years from end of the year of creation, or if made available to the public in that time, 70 years from the end of the year the film was first made available

iv. **Typographical arrangement of published editions**
25 years from the end of the calendar year in which the work was first published.

v. **Broadcasts and cable programmes**
50 years from the end of the calendar year in which the broadcast was made.

vi. **Crown Copyright**
Crown copyright exists in works made by an officer of the Crown, (e.g. legislation and documents produced by government bodies) and will last for a period of 125 years from the end of the calendar year in which the work was made.
If the work was commercially published within 75 years of the end of the year in which it was made, Crown copyright will last for 50 years from the end of the calendar year in which it was published.

vii. **Parliamentary Copyright**
Parliamentary copyright applies to work made by, or under the direction/control of, the House of Commons or House of Lords and lasts 50 years from the end of the calendar year it was made.

8. **Obtaining Permission**

If you are not sure if your use is fair dealing or covered under a licensing scheme always check with the publisher/copyright owner.

When obtaining permission it is normally best to contact the publisher. They may be able to act on the copyright owners behalf, alternatively they may direct you to the appropriate licensing organisation or pass your request on to the copyright owner. In the case of material published on the Internet the best place to start is normally by contacting the web site owner.

When seeking permission, put your request in writing and specify:

- The material you wish use (include the title of publication, author name etc.)
- The exact content to be duplicated (page numbers, section names, etc.)
- The number of copies you wish to make.
- How the copies will be used (e.g. for an event, course work, etc.).
- Who the copies will be distributed to (e.g. students, parents, general public).

You should allow adequate time for the copyright owner to provide permission. Also bear in mind that the copyright owner is not required to give permission and may refuse or simply not respond to your request.

For your own reference and security, permission should be obtained in writing and you should keep a record of any correspondence giving permission or stipulating conditions of use.

9. **Frequent questions**

Copyright and the Internet

Material that can be found on the Internet will of course also be subject to copyright. There are a number of licensing schemes that are popular with online publication and allow some free (normally non-commercial) use, the most notable being GPL and Creative Commons.

If you are making/distributing copies of work that you find on the Internet you should check that the licence for the work (or instructions on the site) allow this and that the site you obtained the work from is itself acting legally. If there is no such licence, do not use the work until you have the permission of the copyright owner.

What if the copyright owner does not answer my request for permission or I cannot locate the copyright owner?

If this is the case you have not obtained permission and should not use the work.

How much of a work can I use under fair-dealing?

There is no simple formula or percentage that can be applied. You may have seen figures like 'up to 10%' or 'no more than 400 words' quoted in some publications, but such figures are at best a rough guide and can be misleading. What is acceptable will vary from one work to another.

In cases that have come to trial what is clear is that it is the perceived importance of the copied content rather than simply the quantity that counts. Judges hearing such cases often have to make an objective decision on whether the use is justified or excessive.

Who is the copyright owner of student created work?

As a student is not an employee of the school/college/university/(etc.) by default the copyright in any work the student produces will belong to the student.

Naturally this will change if the student enters into an agreement to the contrary. For example if the work has been sponsored by a commercial organisation or as part of a work experience program there may be a contractual agreement that covers intellectual property created as part of that project.

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