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US copyright law strives to provide a balance between encouraging creative expression by protecting the rights of authors and publishers with society's need for free exchange of ideas. It is a delicate balance, with limits set both on the rights of creators and the public's use. Copyright law broadly defines "authors;" applies to literary, artistic, and musical works; and rests on the key concepts of originality, fixation, publication, registration, and deposit. It also assigns the term of copyright protection and outlines the factors used to determine "fair use."

Since the first US copyright statute of 1790, the Congress has continually revised copyright law to incorporate new media and technologies; address new concerns of creators and those needing access to copyrighted material; and coordinate national law with international conventions.

Lawyers have varying interpretations of the copyright law provisions; some like "fair use" guidelines and others do not. Case law also can be conflicting. The Gund Library staff does not endorse any of the items listed below. If you need copyright advice for your project, you may want to contact a lawyer.

Barber, Hoyt L. *Copyrights, Patents, & Trademarks: Protect Your Rights*. Blue Ridge Summit, PA: Liberty Hall Press, 1990. **KF/2980/.B37/1990**

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Carter, Mary E. *Electronic Highway Robbery: An Artist's Guide to Copyright in the Digital Era*. Berkeley, Ca: Peachpit Press, 1996. **KF/3030.1/.C37/1996**

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Gasaway, Laura N. *Growing Pains: Adapting Copyright for Libraries, Education, and Society*. Littleton, CO: Rothman, 1997. **KF/3030.1/.G7/1997**

Jensen, Mary Brandt. *Does Your Project have a Copyright Problem? A Decision-Making Guide for Librarians*. Jefferson, NC: McFarland, 1996. **KF/2994/.J45/1996** (on library reserve; ask at desk)

Jensen, Timothy. *VRA Guide to Copyright for Visual Artists*, New York: Volunteer Lawyers for the Arts, 1987. **Gen. Ref. KF/3050/.J4**

Leland, Caryn. *Licensing Art & Design*. New York: Allworth Press/Cincinnati, OH: North Light Books, 1995. **KF/3145/.A7/L4/1995**

McLean, Daniel and Karsten Schubert. *Dear Images: Art, Copyright, and Culture*. London: Ridinghouse, 2002. **K/1460/.D43/2002** *This book is unique in that it addresses issues of interest to artists such as moral rights, art appropriation, public access to art, and the idea of originality.*

Pressman, David. *Patent It Yourself*. Berkeley, CA: Nolo Press, 1999. **KF/3114.6/.P74/1999**

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<http://www.unc.edu/~unclng/public-d.htm> *This site provides a chart indicating when items pass into the "public domain" and are no longer protected by copyright.*

<http://www.loc.gov/copyright/> This US Copyright Office homepage has general information, publications, copyright records, legislation, international laws and agreements, announcements, and resource links. You may search the office's copyright records at <http://www.loc.gov/copyright/search/>

http://www.wipo.int/treaties/en/ip/berne/trtdocs_wo001.html

This is the text of the Berne Convention; the United States has signed this international treaty. See also: <http://www.law.cornell.edu/treaties/berne/overview.html>

<http://www.wipo.int/about-wipo/en/index.html>

The World Intellectual Property Organization is “an international organization dedicated to promoting the use and protection of works of the human spirit.” The United States is a WIPO member.

<http://www.copyright.iupui.edu/fairuse.htm> This Indiana University site reproduces “Fair Use Guidelines for Educational Multimedia,” developed by a broad group of “stakeholders” including publishers, software producers, educators, librarians and media center professionals. They do not constitute a legal document but some find such guidelines helpful.

<http://www.templetons.com/brad/copymyths.html> E-publisher Brad Templeton provides a lively but solid explanation of the “10 Big Myths about Copyright”—actually he explains 11. This is a good place to start, and the web site has some useful links.

<http://www.arl.org/info/frn/copy/copytoc.html> The Association of Research Libraries “Copyright and Intellectual Property” site is rich with information and links for those who want to keep up-to-date with national and international copyright and intellectual property issues and laws.

<http://www.whatiscopyright.org/>

Written, maintained, and owned by tax lawyer, R. Delgado-Martinez. He provides an overview of the Berne Convention because, although national copyright laws may vary, these laws “never contravene or provide less copyright protection than the Berne Convention.”

Many colleges & universities post copyright information on their web sites. These are particularly useful:

<http://library.case.edu/copyright/> (CWRU)

<http://www.library.pitt.edu/research/copyright/> (University of Pittsburgh)

<http://fairuse.stanford.edu/> (Stanford University)

<http://www.utsystem.edu/OGC/IntellectualProperty/cprtindx.htm> (University of Texas)

<http://sunsite.berkeley.edu/Copyright/> (University of California-Berkeley)

<http://www.law.cornell.edu/topics/copyright.html> (Cornell University)

PATENT & TRADEMARK

<http://www.uspto.gov/> US Department of Commerce’s Patent and Trademark Office’s homepage provides a wealth of information including: how to find or get a patent or trademark, attorneys and agents, business guides, registration and related processing, resources, information on international protection, patent and trademark searches. <http://www.uspto.gov/patft/> provides full-text (since 1976) and full page image (from 1970) databases and applications forms.

<http://www.european-patent-office.org/> Viewable in French and German, as well as English, the European Patent Office brings together information and links ranging from news and events to national patent offices and patent searches.

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