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# COPYRIGHT INFORMATION

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## *What is Copyright?*

A copyright is the protection provided to "original" expression.

Works such as books, plays, performances, music, and other forms of art all may attract copyright protection. Computer software also falls under copyright protection.

There are two kinds of copyright protection: 1)unregistered copyright and 2) registered copyright.

## *How do you get a Copyright?*

Unregistered copyright automatically attaches to the work. An unregistered copyright is where someone simply creates something that is original and takes no further action.

Registered copyright is obtained by preparing and filing a submission to the Canadian Intellectual Property Office. The "©" symbol is used to indicate that a work is a registered copyright in the United States.

## *What is the best form of protection?*

The best way of protecting a work is through registration of the copyright. There are a number of advantages to this approach:

1)A greater chance of obtaining damages against future infringers is provided to an owner whose work is registered. This is because registration serves as actual notice to a future infringer.

2) Criminal proceedings can be brought against future infringers by owners of works that have registered copyright protection.

3) Registration of a copyrighted work makes it easier to succeed in a court of law against future infringers because:

- a) registration is evidence in a court of law that copyright exists, and
- b) registration is proof in a court of law that the person listed with the registered work is the owner, absent credible evidence to the contrary.

*How do you protect a Copyright in other countries?*

Generally a separate copyright application is required in each country where protection is desired. Canadian copyright owners should seriously consider registration of their copyrighted works in the United States. Otherwise, later expansion into the U.S. may be prohibited or limited.

*Disclaimer:*

The information above is a considerable simplification of copyright laws and procedures and is not intended to be legal advice. Consult a lawyer before deciding on any course of action. Many situations and limitations are not discussed.

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