1.5 I can describe how copyright and other constraints may affect the website.

Fact sheet P-11: Website copyright advice

Exploring specific considerations that apply to websites and web designers.

1. **Copyright notices**

Although notices are not a requirement under the Berne Convention, (which states that copyright is automatic, whether you mark your work or not), it was a requirement of some countries covered under the Universal Copyright Convention (UCC). It is strongly recommended that you properly mark your work as the use of notices will make it clear that copyright exists, and help to deter infringement.

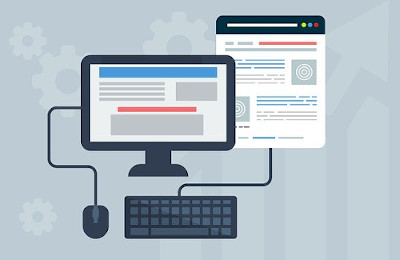
Please see our fact sheet [P-03: Using copyright notices](https://copyrightservice.co.uk/copyright/p03_copyright_notices) for information on wording you notices.

Websites are particularly open to abuse, especially theft of content and images. You should assume that files will be accessed randomly, downloaded as individual chunks, and distributed out of context. It is therefore important to include a copyright notice on as many individually deliverable items as possible:

* + Image file properties should include a notice.

Under Windows for example, right clicking on a image will allow you to bring up the properties dialogue where you may enter details about the file, (though this will only work with certain file types). More typically, your image software will provide a way to insert comments into the file.

* + Watermark valuable images.  
    If you publish your own images (e.g. photos you have taken or digital artwork that you created), then adding a [visible watermark](https://copyrightservice.co.uk/protect/watermark-images) that states your ownership will deter unauthorised re-use.
  + Every page should contain a notice in the visible text (text shown on screen), or at least link to your notice in the body of the page.
  + Every delivered file should include a notice in non visible text.  
    For example, in HTML files, JavaScript files, and CSS style-sheets a copyright notice can be included as a comment.

1. **Creating websites for third parties**

If you design web sites for others, it is important for all parties to understand ownership.

* + Ensure that rights are transferred or licences granted as appropriate. For example; the copyright to the site content and design may passed to the client upon payment, along with licenses for more generic code or modules that the designer/developer may build or use.
  + In the case of work undertaken in stages, rights or licenses to individual features may be handed over for work completed to date.
  + Where material for the web site is sourced from elsewhere, or where third party technologies are to be used, appropriate licenses should be obtained.
  + Moral rights: Will the developer be credited for the work on the web site? If so, the developer will also want to reserve the right to remove the credit if the site if later developed in a way that would discredit the original developer.

1. **Copyright registration**

Websites are one of the easiest things to copy, particularly any written content and images, so registration is particularly important. For information on how to register a website, please see our fact-sheet [P-23: Registering websites](https://copyrightservice.co.uk/protect/p23_registering_websites).

1. **Detecting infringement**

[Copyscape](https://www.copyscape.com/) is a useful tool that will compare your web pages to others indexed by Google and return any it finds with matching text.

1. **Dealing with infringement**

If you notice another web site using your content, the best place to start is by reading our [copyright infringement fact sheet](https://copyrightservice.co.uk/copyright/p05_copyright_infringement)

It is a good idea to get a copy of the site as it exists at the time, this is useful if the site owner later changes their site in an attempt to disguise the infringement. [Wget](https://www.gnu.org/software/wget/" \o "Wget" \t "_blank) is a good tool for this and is available as free software under the GNU General Public License.

Besides the points outlined in the [copyright infringement fact sheet](https://copyrightservice.co.uk/copyright/p05_copyright_infringement), in some countries the (such as the UK & USA), the ISP (Internet Service Provider), may also have an obligation to uphold the law. An ISP that continues to host infringing material is knowingly permitting the infringement to continue and may therefore be liable.

You would need to check that the ISP is covered by this legislation, (as it will vary due to differences in national laws), but this is often a good additional route to pursue, particularly if you have trouble contacting the domain owner.

[Creative Commons licence](https://copyrightservice.co.uk/common/copyright#licence)

This fact sheet is Copyright © UK Copyright Service and protected under UK and international law.  
The use of this fact sheet is covered by the conditions of a [Creative Commons Attribution-Non-Commercial-No Derivative Works License](https://copyrightservice.co.uk/common/copyright#licence).  
This fact sheet is intended only as an introduction to ideas and concepts only. It should not be treated as a definitive guide, nor should it be considered to cover every area of concern, or be regarded as legal advice.

Fact sheet P-03: Using Copyright Notices

Copyright notices, and how to use them to best effect in protecting your work.

1. **What is a copyright notice?**

A piece of text which accompanies a work and expresses the rights and wishes of the owner(s).

1. **Do I need a 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 all all possible to deter copyright infringement.

The aim of a copyright notice is to:

* 1. Make it clear that the work is subject to copyright.
  2. Provide a means of identifying the copyright owner.
  3. Deter infringement or plagiarism.

1. **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.

* 1. If you are writing a book, you should only need one inside the front cover.
  2. Leaflets, commercial documents, etc. should have one on each item.
  3. Web pages should have one on every page.
  4. In the music industry, one is placed on the CD, cassette or LP itself, and one is included on any accompanying sleeve or booklet.
  5. Photographs and designs will have one at the bottom or on the reverse of the work.  
     For photos and other images published online, you may wish to add the notice as a visible 'watermark' across the image.
  6. Manuscripts: A single notice on the front will normally suffice.

Also include acknowledgements for any images, excerpts etc. that you have used which are not your own, and ensure that you obtain permission before you use other people’s work.

1. **What does a notice consist of?**
   1. Copyright

The word Copyright. Using the word ensures that there can be no confusion.

* 1. ©

The copyright symbol. Most countries across the world accept this as the correct manner of displaying copyright.  
See our article: "[Copyright symbols](https://copyrightservice.co.uk/copyright/copyright_symbol)" for information on how to access these symbols on various applications/platforms.

* 1. 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 web site), the year of publication may be shown as a period from first publication until the most recent update, (i.e. 2000-2020)

* 1. Copyright owner’s name

This may only be one person, or it may be a collective, a band, group or team for example.

If there is one person who owns the rights to a work, then his/her 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.

1. This would give your copyright notice the following appearance: Copyright © 2020 Bobby Smith.
2. **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.

1. **Phonogram rights in sound recordings ℗**

Sound recordings have a right separate from the underlying musical composition, and a sound recordings should carry a phonogram 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 © 2020 Bobby Smith, ℗ 2020 Bobby Smith.

Tip: On most computers the ℗ symbol can be found within the Webdings font.

Extending your copyright notice

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.

1. **Why extend your notice?**

In some cases you may wish to permit certain activities, in others you may wish to make it clear that you are withholding all rights, or require the user to apply for a licence to carry out certain actions. To do this you should include a statement that explicitly sets out these terms, the statement should appear as a sentence after the copyright notice.

1. **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:

Note: Acts done in the course of private research or study, criticism or news reporting do not normally constitute an infringement.

* 1. **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?

* 1. **Selling, hiring**

Normally this would be expressly forbidden without the copyright holders consent.

* 1. **Distribution**

You may for example have written a shareware program which you will allow to be duplicated and distributed freely so long as you are identified as the author.

* 1. **Commercial or personal use**

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.

* 1. **Licenses**

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.

* 1. **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.

1. **Examples of copyright statements**

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.

* 1. *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.

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

Again this is reiterating the default position (it does not add any extra 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 (a) and (b).

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

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

* 1. *May be used free of charge. Selling without prior written consent prohibited. Obtain permission before redistributing. In all cases this 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.

Additional deterrent against infringement

1. **Notice of registration**

UK Copyright Service clients are also permitted to state that their work is registered.

This is an additional deterrent against infringement, by displaying the notice, you demonstrate that you are aware of your rights, that you take your rights seriously, and that you have very strong evidence of copyright ownership with which to pursue a case if your 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’ You may also include your registration number if you wish.

For further information examples and images that you can use on your own work, please see our [registration notice page](https://copyrightservice.co.uk/images/).

[Creative Commons licence](https://copyrightservice.co.uk/common/copyright#licence)

This fact sheet is Copyright © UK Copyright Service and protected under UK and international law.  
The use of this fact sheet is covered by the conditions of a [Creative Commons Attribution-Non-Commercial-No Derivative Works License](https://copyrightservice.co.uk/common/copyright#licence).  
This fact sheet is intended only as an introduction to ideas and concepts only. It should not be treated as a definitive guide, nor should it be considered to cover every area of concern, or be regarded as legal advice.

Information taken from UK copyright service

Common questions about copyright

General questions

* **Can copyright be inherited?**

Yes. Just like any other asset, the rights to a copyright work can be inherited.

* **What happens when a copyright expires?**

The work will fall into the public domain, making it available to anyone wishing to use, copy or reproduce the work. This is how so many companies can publish works by William Shakespeare, classical composers etc.

* **What types of work are protected?**

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

* **How long does copyright last?**

This will depend on the work and nationality, but typically the work will be protected for either, 70 years from the death of the author, or if published 70 years from the date of first publication.

* **Does the nationality of the author matter?**

Under the terms of the Berne Convention, authors are automatically protected internationally, they may also enjoy additional rights as granted under national laws.

* **Does format or quality of the work matter?**

The format of the work, i.e. Negatives or photographs, computer files or paper documents, does not matter, neither does the quality of the work.

Names, ideas and patents

* **How do copyrights differ from patents?**

Patents apply to inventions or ideas, whilst copyright applies to written or recorded work.

In the example of a document detailing an invention or idea, the patent protects the concept, idea or invention itself whereas copyright would protect the written document. An infringement would occur if the written description was copied, whilst a patent would protect the idea being put into use.

* **Can a name, title or phrase be protected?**

Names, slogans, titles or phrases are not covered, although you may be able to apply for a trademark. Information about this can be found via the Intellectual Property Office, Cardiff Road, Newport, Gwent, <https://www.ipo.gov.uk/>. We would also recommend that you seek legal advice before proceeding.

Please see the page dealing with [names, titles and copyright](https://copyrightservice.co.uk/copyright/p18_copyright_names) for more details.

* **Are ideas covered?**

No, but dependent on what the idea is, i.e. an invention, it may be possible to apply for a patent. This is not a topic we deal with and you should contact the Intellectual Property Office, Cardiff Road, Newport, Gwent, <https://www.ipo.gov.uk/>.

Copyright does however protect the physical content of drawings, diagrams or plans for inventions but it cannot prevent the invention/idea from being used elsewhere.

Using the work of others

* **Where can licence be obtained from?**

The CLA licences users copying extracts from books, journals and periodicals, and collects fees from licensed users to pay authors and publishers their shares of the copying fees. The CLA web site can be found at: [www.cla.co.uk](https://www.cla.co.uk/).

* **Is a licence needed for the public performance of music?**

Yes, to obtain a performance licence contact PRS for Music: [www.prsformusic.com](https://www.prsformusic.com/).

* **Is a licence needed to to show a film outside the home?**

Yes, unless you are an educational establishment, and are showing a film for purely educational purposes you will need a licence. Depending on your location and the film publisher, one of the following sites should be able to provide a licence or advise further: [Independent Cinema Office](https://www.independentcinemaoffice.org.uk/), [Filmbank Media](https://www.filmbankmedia.com/), or [MPLC](https://www.mplc.org/).

* **What about works which contains extracts, quotes etc?**

The copyright to any copied or quoted parts will remain with the original author. Permission should be sought from the original owner before using copied content in work that you produce.

* **What about music which is made up of samples and loops of other songs?**

Although the arrangement itself may be original, you cannot claim copyright for any parts that are taken from any previous work. This means that although the work for the main part may be original, the parts which were copied from another track would still belong to the original author.You should certainly have permission from the original author of the samples before you consider publishing or broadcasting such a work.

Computer documents and the Internet

* **Is work still protected on the Internet?**

It makes no difference how the work is stored or published; the law still applies.

* **What about computer programs and material stored in computers?**

Computer programs are protected as literary works.

Databases may receive protection for the selection and arrangement of the contents. Also database right may exist in a 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.

Information taken from UK copyright service