



SOME THINGS YOU SHOULD KNOW ABOUT:

INTELLECTUAL PROPERTY

In a nutshell

Intellectual property includes issues related to **copyright**, **trademarks**, and **patents**. Basically, intellectual property laws give people the right to own and profit from their artistic, scientific, and technological creations for a designated period of time.

Remember, the law is complicated and not always clear cut. If you have questions, it's probably best to consult with an intellectual property attorney.

Basic information

COPYRIGHT

Only the copyright holder(s) can legally do, or grant permission to do, the following:

1. Copy the work
2. Create derivative work or collect money from derivative work
3. Distribute copies of the work
4. Perform the work in public or get royalties if someone else does
5. Display the work in public

You don't have to register your creation with the U.S. Copyright Office to protect it, but it's a good idea if you must prove ownership in court.

PATENTS

Patents protect functional things, processes, or new plants that are the result of human intervention. Unlike copyright, you must register your creation with the U.S. Patent and Trademark Office if you want your work protected.

FAIR USE

Some "exceptions" to the copyright rules on the left depend upon:

1. What you're doing: can it be considered noncommercial, nonprofit, or educational?
2. The nature of the copyrighted work
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole
4. The effect of the use upon the potential market for or value of the copyrighted work

The courts consider all four of the criteria above to be of equal importance. All four criteria must be met for something to be considered fair use.

TRADEMARK

Trademarks do what their names imply; they mark or brand something, usually a commercial item. You don't have to register your trademark with the U.S. Patent and Trademark Office to protect your creation, but it's a good idea if you must prove ownership in court.

Explore more

LAWS AND POLICIES

- NOLO: Law for All
<http://www.nolo.com>
- Bitlaw: A Resource on Technology Law
<http://www.bitlaw.com>
- UCLA Library Copyright Policy
<http://www.library.ucla.edu/copyright>
- UC Copyright
<http://www.universityofcalifornia.edu/copyright>

FROM THE GOVERNMENT

- United States Copyright Office
<http://www.copyright.gov>
- United States Patent and Trademark Office
<http://www.uspto.gov>

OVERVIEWS AND OTHER STUFF

- Copyright Web site
<http://www.benedict.com>
- Patent Cafe
<http://www.patentcafe.com>
- Totally Absurd Inventions
<http://www.totallyabsurd.com>
- When U.S. Works Pass into the Public Domain
<http://www.unc.edu/~uncldg/public-d.htm>
- World Intellectual Property Organization
<http://www.wipo.int>

