

Copyright Law – A Conversation

Copyright Law

Copyright law regulates how, by whom, and under what conditions a creative work can be used for what purpose.

First created in the 18th century in Great Britain, it exists today with some variation all around the world. It is, however, not an 'international' law but enacted and enforced through national laws.

Since the 19th century, efforts have been made to standardize copyright law globally and today we have pretty similar copyright law in the vast majority of countries.

In the Berne Convention (an international copyright treaty dating back to 1886) it is stipulated that copyright is granted automatically but that copyright protection is limited to the lifetime of a creator plus 50 years.

What is the purpose of copyright?

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That sounds like a rather Utilitarian rationale. Are there any alternatives?

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Do you mean to ensure that the creator of a work is attributed and no one can edit it or change it around without permission?

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Oh, that's very interesting! You know, I had this idea and I told it to a friend and then someone else overheard us and then made it into an art installation. But I have the copyright!

I understand. Is there anything else I should know that is usually not protected by copyright?

Ok, but 'facts' are not 'expressions'. Is really every expression protected by

I'm sorry this happened to you! However, ideas are not protected by copyright. You see, it is only the "expression" that is protected by copyright.

Yes, there are quite a few things! An important one is "Facts" - they cannot be protected. If you find out that it wasn't Leonardo da Vinci who painted the Mona Lisa and share this knowledge, then everyone can use this information however they like. They don't have to credit you - and you cannot forbid

Objects of C

Copyright almost always applies to a unique (and not a copy of something in a tangible medium" - which is a fact, down, or recorded, or painted or

Almost all countries in the world protect copyrightable, but also translations of literature and artwork. Some countries also protect designs and models, and applied art to b

One thing, the purpose of copyright is to give creators an incentive to create new works – instead of only reproducing others' work.

What is today most often considered the main purpose of copyright is protection of authors' rights.

Exactly! Some countries even grant moral rights in order to protect the connection between a creator and their work.

Copyright Law

to original works, which means they have to be original (not a copy of someone else's work) and they have to be "fixed in a tangible form" (any way of saying that they have to be written down on something, or saved on a computer, etc.).

Most countries recognize literature and artistic work as copyrightable, as well as inventions and adaptations, as well as collections of works. Some countries also recognize software, industrial design and architecture as copyrightable.

copyright?

anyone from using it.

"Public Domain" - what is that?

That sounds both really cool and a bit sketchy: How can something fall 'out of copyright'? Do I have to do anything to get my works copyrighted? Do I have to pay a fee?

Phew!
But you still haven't told me how copyright ends...

So, the creator must be long dead before a work will enter the public domain. That's quite a long period in which no one can do anything with it. What if it is so important that everyone should have seen it or read it? What about the people who cannot afford buying it?

You mean... like citations? I have done that in the article that I wrote for the community magazine!

I live in Norway. Do you happen to know if Norway also has something like fair use?

Thank you! Do you know where I can find out more about this?

No, you are right. Law texts, for example, are not protected. And in some countries, the work that is created by government employees is also not copyrightable. It is automatically part of the public domain.

The Public Domain – that is all the creative works mankind has ever created and that have fallen out of copyright – or that were never protected by copyright to begin with. Even though we often still attribute the most renown works to their creators, everyone anywhere in the world can do with these works whatever they want!

Don't worry! In almost all countries in the world copyright is granted automatically, so you don't have to do anything to get it. But keep in mind what we have been talking about before, that you have to 'fix it in a tangible medium' :)

Right. You see, copyright is 'attached' to a creator, that means, it will eventually expire. Since quite some time ago, it has been such that copyright of a work expires 50 years after the death of its creator. But there are many countries where the copyright term is actually life + 70 years. In Mexico, it is even life + 100 years!

You are right, it is a long time. And even though the copyright is there to protect the intellectual property of creators and to stimulate the creation of new works, there are also quite a few important exceptions and limitations to copyright.

Yes, citations are always allowed. Copyright doesn't extend to that. There is much more though! You probably have heard about 'Fair Use'. Fair Use is a legal principal in the United States that allows certain uses of copyrighted material without asking for permission. Most countries in the world have a version of it, but there can be quite a few differences.

In Norway, copyright is called "opphavsrett" and it is part of something called "Åndsverksloven", the law about intellectual works. It gives creators a lot of protection of their works, but it also is quite clear about what fair use one can make.

Other Types of Property

Not all forms of human creation are covered by the copyright. There are other laws that protect different types of property. Trademark Law and the Law of Patents helps avoid confusion by protecting names, and symbols, and grants exclusive rights for a defined period of time.

Exceptions to Copyright

Some uses of a copyrighted work require the permission of its creator. Copyright means that if one is using a work without copyright, the copyright holder has to find a balance between protecting their work and their interest in having their work used.

Exceptions to copyright vary from country to country. Some countries allow certain exceptions, while others do not allow that eventually reach the court of law.

Most countries also have schemes that are installed to make it easier without copyright. This is often done by

Copyright in Norway

Norwegian copyright is based on the minimum standard set by the Berne Convention and from copyright in other countries in the world and the form

The copyright term is 70 years after the creator's death. Copyright or "opphavsrett" in intellectual work laws has been significantly influenced by other things, it also regulates

The law in its latest version can be found via the link:

<https://lovdata.no/dokument/Akt/lov/1967-06-02-104>

Even though Norwegian copyright is rather restrictive and there are quite a few exceptions, it is far from the freedom to create that is permitted to parody a work. An important exception is the right to under copyright for parody.

of Intellectual

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Norway

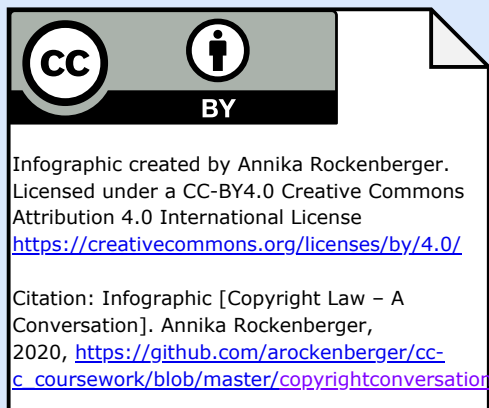
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the life of the creator plus 70
opphavsrett" is part of a set of
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ersion can be accessed online

[kument/NL/lov/2018-06-15-40](https://lovdata.no/dokument/NL/lov/2018-06-15-40)

an copyright can be seen as
its term is rather long, there are
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make.
For example, you can always cite a work and you are always allowed to make a private copy of it for your own use. You are also always allowed to adapt a work to make it accessible for people with disabilities.

I recommend that you read up about copyright law on Wikipedia, the information there is trustworthy and up to date and actually much easier to read than legal texts...

For the Norwegian laws, there is a website called lovdata.no where you can search for åndsverksloven. It even has a few examples to help you understand!

Article 26. Another important principle is the right of reproduction or broad distribution: it is allowed to reproduce photographs, art pieces, etc. and spread them via Social Media in the Wikipedia.

Another example is the "plikttavlevering", where all available works have to be deposited in the Library of Norway when they are published. With the digitization of these works, all these records are now available. Within the borders of Norway, access to all records is free of charge. Since 2000, all newer content is deposited in the National Library or in

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