



The FindLaw Guide to How to Register a Copyright

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The FindLaw Guide to How to Register a Copyright

If you create an original work, you may be entitled to copyright protection over that work. This means that you will have exclusive rights to use the work, and profit off of it. In this guide, we discuss how to register a copyright over your work.

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Introduction

Copyright is a form of protection for creators of original works in areas such as literature, movies, music, sound recordings, paintings, photographs, software, live performances, and television or sound broadcasts. Copyright protection generally gives the owner exclusive right to:

- Reproduce the work
- Prepare other works based upon the work
- Sell the work
- Perform or display the work

If you are thinking about registering your work with the U.S. Copyright Office, FindLaw and its directory of attorneys may be of assistance.

How to Get Copyright Protection

Copyright protection is secured automatically when a work is created. So you don't need to register a copyright, hire a lawyer, or even publish your work to get protection. Instead, as soon as your work exists in some physical form, you will automatically have rights to your work. Still, there are certain benefits to registering your copyright with the U.S. Copyright Office.

Benefits of Registering a Copyright

As mentioned above, you don't need to register your copyright to receive protection. So, why register?

First, registration establishes a public record of your claim. You will have proof that you created the work, and a record of when you created it. So if someone creates a similar or identical work later, you have proof that you were first.

Second, if you do sue someone for copyright infringement, you will typically need to register the copyright before the lawsuit may be filed. And if your registration was made within three months after publication of the work or prior to an infringement, you can seek statutory damages and attorney's fees in court for any infringement action. Otherwise, the damages will be limited to only the actual loss suffered by the copyright owner.

You can register a work at any time within the life of the copyright. Read more about the [benefits of registering your copyright](#).

Steps to Register a Copyright

To register a work, you need to send three things to the U.S. Copyright Office:

- properly completed application form
- nonrefundable filing fee for each application
- nonreturnable deposit of the work being registered



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In completing the application, it is important to give clear and accurate information. If possible type the application, or complete it in black ink. The registration certificate issued by the Copyright Office is made from a photographic image of your application. The better the quality of your application, the better the quality of your certificate. Applications of extremely poor quality will not be accepted.

For the deposit requirement, the requirements vary, but generally you need to submit two complete copies of the work. It's important to follow the instructions on the application carefully because applications and fees received without appropriate copies, deposits, or fees will not be processed and ordinarily will be returned to you.

Read more about [creating an acceptable copyright application](#).

Giving Notice of Protection

The use of a copyright notice is no longer required, although it can be beneficial.

Generally, giving a notice of copyright on a work with the symbol “©” may be important because it informs the public that the work is protected by copyright, identifies the copyright owner, and shows the year of first publication. Furthermore, in the event that a work is infringed, if a proper notice of copyright appears on the published copy to which a defendant had access, the defendant will usually lose a defense based on ignorance or innocence.

To put a notice of copyright on a work, you don't need the advance permission from the U.S. Copyright Office. You also don't need to register your copyright. Typically, [notice of your copyright](#) should include

- The copyright symbol (©) or the word “Copyright.”
- The year of first publication of the work.
- The name of the owner of copyright in the work, or an abbreviation by which the name can be recognized, or a generally known alternative designation of the owner.

For example, “© 2002 John Doe” is a good notice of copyright ownership.

STOP

Should I Talk to an Attorney?

If you created a copyrightable work and have questions regarding registering your copyright, giving notice of your copyright, or enforcing your ownership rights, you may want to contact an attorney near you. An experienced copyright lawyer can help walk you through the steps of the copyright process and explain your rights and obligations regarding a copyrighted work.

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For More Information

Regarding filing for a patent, please visit our website at <http://www.findlaw.com> or <http://smallbusiness.findlaw.com/intellectual-property/copyrights/>

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