

DEFINITIONS

Who is an author?

Under the copyright law, the creator of the original expression in a work is its author. The author is also the owner of copyright unless there is a written agreement by which the author assigns the copyright to another person or entity, such as a publisher. In cases of works made for hire, the employer or commissioning party is considered to be the author.

What is a deposit?

A deposit is usually one copy (if unpublished) or two copies (if published) of the work to be registered for copyright. In certain cases such as works of the visual arts, identifying material such as a photograph may be used instead. The deposit is sent with the application and fee and becomes the property of the Library of Congress.

What is publication?

Publication has a technical meaning in copyright law. According to the statute, "Publication is the distribution of copies or phonorecords of a work to the public by sale or other transfer of ownership, or by rental, lease, or lending. The offering to distribute copies or phonorecords to a group of persons for purposes of further distribution, public performance, or public display constitutes publication. A public performance or display of a work does not of itself constitute publication." Generally, publication occurs on the date on which copies of the work are first made available to the public.

What is a copyright notice? How do I put a copyright notice on my work?

A copyright notice is an identifier placed on copies of the work to inform the world of copyright ownership that generally consists of the symbol or word "copyright (or copr.)," the name of the copyright owner, and the year of first publication, e.g., ©2003 John Doe. While use of a copyright notice was once required as a condition of copyright protection, it is now optional. Use of the notice is the responsibility of the copyright owner and does not require advance permission from, or registration with, the Copyright Office.

What is copyright infringement?

As a general matter, copyright infringement occurs when a copyrighted work is reproduced, distributed, performed, publicly displayed, or made into a derivative work without the permission of the copyright owner.

What is peer-to-peer (P2P) networking?

A type of network where computers communicate directly with each other, rather than through a central server. Often referred to simply as peer-to-peer, or abbreviated P2P, a type of network in which each workstation has equivalent capabilities and responsibilities in contrast to client/server architectures, in which some computers are dedicated to serving the other computers. A "network" is a group of two or more computer systems linked together by various methods. In recent usage, peer-to-peer has come to describe applications in which users can use the Internet to exchange files with each other directly

or through a mediating server.

Where is the public domain?

The public domain is not a place. A work of authorship is in the “public domain” if it is no longer under copyright protection or if it failed to meet the requirements for copyright protection. Works in the public domain may be used freely without the permission of the former copyright owner.

What is mandatory deposit?

Copies of all works under copyright protection that have been published in the United States are required to be deposited with the Copyright Office within 3 months of the date of first publication.

What is a work made for hire?

Although the general rule is that the person who creates the work is its author, there is an exception to that principle; the exception is a work made for hire, which is a work prepared by an employee within the scope of his or her employment; or a work specially ordered or commissioned in certain specified circumstances. When a work qualifies as a work made for hire, the employer, or commissioning party, is considered to be the author.

What is a Library of Congress number?

The Library of Congress Control Number is assigned by the Library at its discretion to assist librarians in acquiring and cataloging works. For further information call the Cataloging in Publication Division at (202) 707-6345.

What is an ISBN number?

The International Standard Book Number is administered by the R. R. Bowker Company, 877- 310-7333. The ISBN is a numerical identifier intended to assist the international community in identifying and ordering certain publications.