

# A BRIEF INTRODUCTION TO COPYRIGHT

Updated January 2019



Intellectual Property consists of three types which you register

- **Patents** - How something works or the method of making it.
- **Designs** - Protects the overall visual appearance of a product or a part of a product.
- **Trade Marks** - The sign by which you distinguish your goods or services from those of your competitors.

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- **Copyright** - Artistic or literary expression.
- **Know How** - Valuable information not readily available to the public. Highly confidential Know How is known as a **Trade Secret** and should be protected by legal agreements.

## What is copyright?

Copyright is protection for literary or artistic authorship. Copyright does not protect ideas for works. It is only when the work has been captured (fixed) in hard copy that it is protected. For example an idea for a book cannot be protected, but once you have written the manuscript then copyright applies.

## What does copyright protect?

- Books, novels, technical reports, manuals
- Paintings, sculptures, photographs
- Music, songs, plays, dramatic works
- Films, videos, television and radio broadcasts
- Engineering, technical or architectural plans
- Promotional literature, advertising
- Computer software, databases

## Copyright - an automatic Right

Copyright does not need to be registered and rights are therefore instant and free. Whether you have taken a photograph, written a new bestseller, composed a song, so long as the work is an original work that qualifies for copyright protection - that is, it falls into one of the categories of material protected by copyright, you will automatically have copyright protection without having to do anything to establish this.

## Protecting your work

- The copyright symbol © can be used to indicate a claim to copyright. It may help protect your work if you mark it with the © symbol, your name, and the year in which it was created.
- Deposit your work with a solicitor or a bank. There may be an annual fee charged for this service.
- Send the originals to yourself by registered mail or special delivery signing your name across the sealed opening of the package before you post it. Keep the package unopened once you receive it, but do remember to write a list of the contents on the envelope when you do get it back so you don't open it later by accident!

## Exceptions to copyright

Copyright law relating to 'Exceptions to Copyright' has recently changed and you would be advised to read the IPO UK leaflet 'Exceptions to Copyright: An overview' available at <https://www.gov.uk/government/publications/changes-to-copyright-law>

There are a number of exceptions to copyright that allow limited use of copyright works without the permission of the copyright owner. These include:

- Personal Copies for Private Use
- Caricature, Parody or Pastiche
- Quotation
- Research and Private Study
- Text and Data-Mining
- Education and Teaching
- Archiving and Preservation
- Public Administration
- Accessible formats for disabled people

## Hints and tips

Keep good records of everything you do relating to your idea.

If you work on a computer then download a second copy of your records on to a separate hard drive just in case your computer fails.

If you keep written records buy yourself a hard bound stitched together notebook in which to write your notes etc. Number every page and date every entry you make crossing nothing out. If you make a mistake or change your mind about something you have recorded simply cross it through leaving it still legible. This creates a record of the path you have taken from the initial spark of the idea through to the finished item and can be useful in helping to prove copyright.

## IP and Brexit

For facts on the future of intellectual property laws following the decision that the UK will leave the EU please see: <https://www.gov.uk/government/publications/ip-and-brexit-the-facts>

## Further Information

### The British Library Business & IP Centre

The British Library holds the national collection of intellectual property not only from the United Kingdom but also from a large number of countries throughout the world

The Business & IP Centre has extensive collections of business and intellectual property information, plus databases. Manuals on Intellectual Property and Intellectual Property law are on the open access shelves.

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E. [bipc@bl.uk](mailto:bipc@bl.uk)

W. <https://www.bl.uk/business-and-ip-centre>

### Workshops

The Business & IP Centre runs regular workshops on intellectual property and business. A full list can be found, and bookings made, via the British Library website at <https://www.bl.uk/business-and-ip-centre> under the heading Workshops and events.

### The Intellectual Property Office

The IPO UK is the official government body responsible for granting intellectual property rights in the United Kingdom. The website of the IPO UK contains a vast amount of information on all forms of intellectual property including what the different types of intellectual property protect, how to apply for the various intellectual property rights and the necessary forms and lists of relevant fees.

T. 0300 300 2000 (local rate number)

E. [information@ipo.gov.uk](mailto:information@ipo.gov.uk)

W. <https://www.ipo.gov.uk/>

### Chartered Institute of Patent Attorneys

The Chartered Institute of Patent Attorneys holds regular Clinics at a number of sites around the UK to provide free basic advice to unrepresented innovators who are at the early stages of developing an idea. The Clinics are all given by a Registered Patent Attorney who is a Fellow of the Institute see <https://www.cipa.org.uk/need-advice/ip-clinics/>

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## Chartered Institute of Trade Mark Attorneys

To find a trade mark attorney in your local area please see the CITMA website at <https://www.citma.org.uk/members/>. The website can be searched by postcode. CITMA also offer free advice clinics and details can be found at [https://www.citma.org.uk/trade\\_marks/free\\_advice\\_clinics](https://www.citma.org.uk/trade_marks/free_advice_clinics)

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The Business & IP Centre supports entrepreneurs and innovators from that first spark of inspiration to successfully launching and growing a business. With Centres in London as well as in [13 local libraries around the country](#), help and guidance is easy to access. The Business & IP Centre has a team on hand to help guide you through intellectual property through workshops, one-to-one sessions and webinars, as well as being on hand in the Centre itself. [Visit the website](#) to see how we can help you take the right steps to start up, protect and grow your business.



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