Copyright

Understanding the Scope of Copyright Protection



Copyrights provide creators of original "works of authorship" with certain exclusive rights, such as reproduction and adaptation, yet many businesses fail to appreciate the true breadth of copyright. For example, proper copyright protection can safeguard software code, the structure and sequence of computer programs, the selection and arrangement of a database or a website, and even the original forms, memoranda, and correspondence generated by your business.

We assist clients in understanding and obtaining the benefits of copyright ownership and registration, including:

Copyright Analysis

Your employee created a software application, designed a new line of clothing, compiled and organized a set of data, or wrote the specs for a new videogame. Under copyright law, what can you prevent competitors from using and how best to secure these rights? We can answer those questions for you.

Copyright Infringement

Your employee has used aspects of a competitor's software application, database, web pages, service descriptions, or other content. Has she given your competitors the grounds to assert a costly and time-consuming infringement claim? We can help you sort through the rules of infringement, substantial similarity, and fair use to arrive at an answer and an appropriate course of conduct.

Copyright Registration

Many benefits inure to companies that register their copyrights, such as useful presumptions in legal proceedings, and rights to recover statutory damages and attorneys' fees. We can apply — or help you apply — to register your copyright claim with the U.S. Copyright Office.

Copyright Licenses

A copyright is a bundle of rights — to copy, adapt, sell, and publicly perform and display the work — each of which can be separately sold or licensed. We can help you understand the bundle, establish a licensing strategy, prepare the appropriate contract, and negotiate the license arrangements. And, when the tables are turned, we can help you in-license important content or technology.

Team

Michael J. Cavaretta

Faith D. Kasparian

Amanda E. Schreyer

Related Industries

Publishing

Terminating Transfers

The author-friendly Copyright Act allows any originator who assigned or licensed its rights to recapture them after 35 years. Our attorneys can assist you in regaining your assigned rights… or in dealing with an originator who has sent you a notice of termination.

International Copyright

The U.S. is a signatory to the international treaty known as the Berne Convention. As a result, U.S. citizens and nationals receive copyright protection for their works in most foreign countries without either a copyright notice or registration of the work. However, foreign laws differ from U.S. laws in significant ways, and thus your rights abroad may differ from your rights at home. We can translate these international rules into practical guidance.