

INTELLECTUAL PROPERTY AND TECHNOLOGY TRANSFER

WHAT IS COPYRIGHT?

Copyright is a form of protection provided by the laws of the United States (title 17, U.S. Code) to the authors of “original works of authorship,” including literary, dramatic, musical, artistic, and certain other intellectual works. This protection is available to both published and unpublished works. Section 106 of the 1976 Copyright Act generally gives the owner of copyright the exclusive right to do and to authorize others to do the following:

- *To reproduce* the work in copies or phonorecords;
- To prepare *derivative works* based upon the work;
- *To distribute copies or phonorecords* of the work to the public by sale or other transfer of ownership, or by rental, lease, or lending;
- **To perform the work publicly**, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and motion pictures and other audiovisual works;
- *To display the copyrighted work publicly*, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work; and
- In the case of *sound recordings, to perform the work publicly* by means of a *digital audio transmission*.

In addition, certain authors of works of visual art have the rights of attribution and integrity as described in [section 106A](#) of the 1976 Copyright Act. For further information, request [Circular 40](#), “Copyright Registration for Works of the Visual Arts.”

It is illegal for anyone to violate any of the rights provided by the copyright law to the owner of copyright. These rights, however, are not unlimited in scope. [Sections 107 through 121](#) of the 1976 Copyright Act establish limitations on these rights. In some cases, these limitations are specified exemptions from copyright liability. One major limitation is the doctrine of “fair use,” which is given a statutory basis in [section 107](#) of the 1976 Copyright Act. In other instances, the limitation takes the form of a “compulsory license” under which certain limited uses of copyrighted works are permitted upon payment of specified royalties and compliance with statutory conditions.

If you need more information, please visit these websites:

- [U.S. Copyright Office](#)
 - The most comprehensive website about copyright issues including information about registering your literary works, visual arts, performing arts, sound recordings, and serials/publications
- [Copyright Clearance Center](#)
 - Copyright Clearance Center is the world's premier provider of copyright licensing and compliance solutions for the information content industry. We are a trusted intermediary between copyright holders and content users, facilitating the exchange of reuse rights and royalties through a wide range of licensing services.
- [Friends of Copyright Education](#)
 - A new initiative of the Copyright Society of the U.S.A. Its principal goal is to provide a broad range of resources to foster and support copyright awareness
- [TBR Related Forms](#)

If you wish to discuss your copyright issues further, please [CONTACT](#) the staff of the Office of Research and Sponsored Programs or send us an e-mail at research@mtsu.edu