

A Simple Guide to U.S. Copyright Law: 5 Essential Facts and Tips

U.S. Copyright Law: The U.S. Constitution

The U.S. Constitution enshrines the federal system of copyright laws: “The Congress shall have Power ... To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries ...” (Article I, Section 8 of the U.S. Constitution).

The [U.S. Copyright Office](#) administers the Copyright Act and has a wealth of informational materials on U.S. and international copyright law, as well as a [searchable index to fair use court cases](#).

5 Essential Facts and Tips About U.S. Copyright Law

1. The creator is the first owner of copyright

Generally, a work's creator or author is its first owner of copyright, subject to some exceptions. For example, under the “work for hire” provision, employers are, under certain conditions, the author and owner of copyright in works created by employees during the course of their employment.

2. The rights of copyright owners and their limitations

The Copyright Act establishes the copyright owner’s exclusive — but not unlimited — rights, including reproduction, adaptation, distribution, and public performance and display. Limitations include [fair use](#) and exceptions for libraries and educational institutions. The law protects the [moral rights](#) of attribution and integrity for authors of works of visual art.

TIP: If you're reproducing, sharing or republishing images, text and other copyright works, start with the assumption that they're protected by copyright. Do your research to determine their copyright status.

3. Copyright law doesn't protect ideas

U.S. copyright law protects the expression of ideas, not the ideas themselves. Copyright protection also doesn't protect history, facts, procedures, processes, or slogans.

TIP: You can summarize an article or write a blog post based on news events, as long as you don't reproduce or use the exact wording in the article or news story.

4. Copyright protection is automatic

Copyright protection automatically exists upon creation of a work that meets three criteria: originality, fixation, and minimal creativity. Publication, use of the copyright symbol and notice, and registration with the U.S. Copyright Office aren't required to obtain copyright protection for a work in the U.S. However, there are numerous advantages to voluntarily using a copyright notice or registering copyright-protected works.

TIP: Consider the advantages of placing the copyright symbol on your work. If you're using someone else's work, keep in mind that it may be protected by copyright even if there's no copyright symbol on it.

5. Copyright duration is life-plus-seventy

The general duration of copyright in the U.S. is 70 years after the author's death (for works in a fixed form on or after 1 January 1978). Once copyright expires in a work, you may freely use it without permission or compensation.

Please do not rely on the information in this document as legal advice. Seek legal advice where necessary.

Copyright law is complicated. Learn copyright principles and gain the decision-making skills to confidently apply copyright in your library or organization through the online [Copyright Leadership Certificate](#) program.



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