



Music Copyright

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UK copyright law can be complicated, but actually protecting yourself is easy if you understand the basic idea behind copyright.

Common Myths

Copyright is an issue with many elements involving the protection of intellectual property. Two of the most common misunderstandings when it comes to copyright is that a copyright notice is required to make something copyrighted and someone using copyrighted material is still in breach of that copyright, even if they are not making money from it.

Almost all things are copyrighted the moment they are written, and no copyright notice is required. The mere act of putting something in tangible form is enough, but it would then fall to the owner to prove or provide as much evidence as possible that he/she created it and when it was created.

Copyright is still violated whether you charged money or not, but not charging may result in smaller damages being given.

Protecting Copyright

Essentially it is a simple process. As soon as

you put your music or lyrics down in tangible form it is (in most countries) immediately copyrighted without you having to do anything! Great, but there's a catch .. although you have immediate copyright control, if someone steals your work you will need to prove that you came up with the idea before the other person.

If a copyright dispute goes to court it is a case of 'who has the most proof wins'. So if two people claim to have written a song on the same day, but one posted it to himself by recorded (date stamped) mail, he will have the stronger case. But, if the other can show the Logic or Pro Tools DATA files that perfectly match the computer audio sound wave files, he will then have the stronger case, and so on.

The key is to take steps to document your creation, whether it be keeping computer DATA files, sending your song to an online copyright office or sending it to yourself by recorded post (don't open it when it arrives).

Length of copyright

Copyright varies in each country, in particular the UK and the US. Most elements are similar but there are slight variance. Being a copyright owner gives you the exclusive right to copy the work, make copies of the work to distribute to the public, adapt the original work and to broadcast and perform the works.

There are two duration periods within this act in protecting the works. One is for the copyright in the musical works, such as the melody and lyrics. This is for the life of the author plus seventy years. The second is for the musical recording, which is for the life of the author plus fifty years. There are always debates and discussions as to whether the duration of the above acts should be changed.

This is particularly the case, as the U.S has a

longer protection period for musical recordings of ninety five years. So far this hasn't changed, but watch this space. There is also the challenge of the digital/information age where protection, illegal reproduction and downloading of music is hard to control. This is resulting in creative owners and producers not receiving the financial reward and payments they deserve.

Useful Addresses

UK Copyright Services

<http://www.google.co.uk/search?sourceid=chrome&ie=UTF-8&q=UK+music+copyright+office>

USA Copyright Service

http://en.wikipedia.org/wiki/United_States_Copyright_Office

Intellectual Property Office

Concept House,
Cardiff Road, Newport,
South Wales, NP10 8QQ,
Tel: 0300 300 2000
www.ipo.gov.uk

PRS for Music

29-33 Berners Street,
London, W1P 4AA,
Tel. (0207) 580 5544
www.prsformusic.com

Copyright Licensing Agency

Saffron House,
6-10 Kirby Street,
London, EC1N 8TS,
Tel. 020 7400 3100 www.cla.co.uk
