

COREL CORPORATION
Copyright FAQ

I. What is a copyright?

A copyright is a type of intellectual property right in an original work of authorship, such as a painting, poem, song, photograph, or movie.

A copyright owner enjoys certain exclusive rights with respect to the work of authorship, including the exclusive rights to publicly perform, publicly display, reproduce, distribute, and create derivative works of that work.

II. What sorts of works are protected by copyright?

While the types of works protected by copyright vary by jurisdiction, the following categories of works are generally afforded copyright protection (assuming the works are creative, fixed in a tangible medium (i.e., written down or recorded), and satisfy other minimum requirements):

1. Literary Works – including books, articles, and pamphlets;
2. Visual Works – including paintings, photographs, illustrations, maps, and sculptures;
3. Audiovisual Works – including TV shows, movies, and online videos;
4. Sound Recordings – including musical compositions and recordings;
5. Dramatic Works – including plays and musicals; and
6. Others – including computer programs and video games.

III. Can I re-use a work protected by copyright?

In most instances, the copyright owner's permission is required to publicly perform, publicly display, reproduce, distribute, or create derivative works of the copyright-protected work.

Some jurisdictions exclude certain activities, such as "fair use" from a copyright owners' exclusive rights. See Point VI for further information on fair use.

IV. What is a derivative work?

A derivative work is a new work that is based on or derived from an existing work. Common examples of derivative works include translations, musical arrangements, motion picture versions of literary works, art reproductions, and abridged versions of larger works.

Depending on the jurisdiction, copyright owners have the exclusive right to create derivative works.

V. What is the public domain?

In most jurisdictions, a work loses copyright protection after a certain period of time. Works that have lost copyright protection are said to have fallen into the "public domain."

The duration of copyright protection for a work typically depends on several factors, including who created the work, where it was created, and when it was created.

VI. What is fair use?

Fair Use is a legal doctrine that permits certain “fair uses” of copyright-protected works, even without the permission of the copyright owner. The definition of fair use and how it applies to copyright varies from jurisdiction to jurisdiction.

Courts in the United States consider four factors when determining whether a particular use constitutes a fair use:

- (1) the purpose and character of the use;
- (2) the nature of the copyrighted work;
- (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- (4) the effect of the use on the potential market for or value of the copyrighted work.

While fair use requires a fact-specific and case-by-case analysis, using a copyright-protected work in the furtherance of criticism, commentary, news reporting, teaching, scholarship, and research have all been deemed fair uses in the United States.

VII. Can't you just simplify all of this for me?

We appreciate your frustration. Copyright law can be quite complex. The analyses often depend on the facts specific to your case – e.g., where did you get the content, who owns it, and what did you do with it? Still, we want you to enjoy our products and make good, lawful use of them with as little frustration as possible.

Here are a few general DOs and DON'Ts that should help:

1. DO use your own original works, such as your own photos of everyday objects or your own copy for any text;
2. DON'T use photos of famous people or restricted environments (e.g., galleries, museums) without permission;
3. DO explore works of third parties available for use under a [Creative Commons](#) model license or a similar collaborative arrangement;
4. DON'T assume that content published by a third party (e.g., Google Images) is free for you to use for your intended purposes;
5. DO read the terms that govern your use of any works of third parties, such as license agreements or online terms and conditions;
6. DON'T assume that crediting the author eliminates any concerns of copyright infringement;
7. DO use works in the public domain;
8. DON'T use logos and trademarks without permission; and

9. DO seek legal counsel if you have any questions or concerns regarding your rights or the rights of others.

The above information does not constitute legal advice; it is intended to provide a basic guide on copyright law and is for informational purposes only.

We encourage you to seek independent legal advice if you have any questions or concerns regarding your work and whether your work complies with applicable copyright law.

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