

Protecting Your Musical Copyrights

What is a musical composition? A series of notes and chords? Words and melody? Poetry and rhythm? A musical composition may mean different things to different people, but according to United States copyright law a musical composition is an original work of authorship fixed in a tangible medium of expression.¹ Compositions are a type of intellectual property, protected by copyright. Copyright protection extends to the musical work, including both music and lyrics, but not to the idea that gives rise to or is expressed by the composition. A copyright in a musical composition vests in the owner a myriad of privileges and protections codified in the copyright laws of individual countries as well as international treaties and conventions. This publication focuses primarily on those sections of the United States Copyright Act (the "Copyright Act") most relevant to authors, owners, and licensees of musical compositions.

United States copyright law can be extremely complex; however it is important that those with an interest in a musical composition, including authors, heirs, music publishers, and administrators, have a basic understanding of the key aspects of the law in order to effectively protect and exploit their musical property. This handbook sets forth fundamental guidelines for the safeguarding of your copyrights from creation until the date each composition enters the public domain. The handbook is intended as an overview. For a specific understanding of the application of the principles contained herein to your own catalogue, you should consult with a copyright attorney and review the more detailed information available from the Copyright Office.²

Copyright—An Overview

Subject Matter of Copyright

The Copyright Act grants copyright protection to 8 categories of "original works of authorship" including:

- (1) literary works;
- (2) musical works, including any accompanying words;
- (3) dramatic works, including any accompanying music;
- (4) pantomimes and choreographic works;
- (5) pictorial, graphic, and sculptural works;
- (6) motion pictures and other audiovisual works;
- (7) sound recordings; and
- (8) architectural works.³

¹ 17 U.S.C. § 102(a).

² Address your inquiries to the Library of Congress, Copyright Office, 101 Independence Ave. S.E., Washington D.C. 20559-6000; telephone (202) 707-3000; website www.copyright.gov.

³ 17 U.S.C. §102.

Protecting Your Musical Copyrights

Kent J. Klavens



Protecting Your Musical Copyrights:

Protecting Your Company's Intellectual Property Deborah E. BOUCHOUX, 2006-02-16 A company's most valuable assets may not be physical. This book shows how to protect them without fences or security guards. You can't touch it or feel it. Sometimes you can't even see it. Yet intellectual property continues to soar in value, comprising an increasingly greater portion of a typical company's assets. In the age of instant global communication, understanding what intellectual property is, how to protect it, and how to enhance its value are prerequisites for corporate survival. Enter attorney Deborah E. Bouchoux and her informative book *Protecting Your Company's Intellectual Property*. Packed with fascinating and illuminating examples, this book is a succinct yet comprehensive discussion of the four key areas of intellectual property: trademarks, copyrights, patents, and trade secrets. In addition to defining these areas, for instance, did you know that customer lists and marketing plans are protectable trade secrets? The book offers practical tools for protecting intellectual property, including Trademark and Copyright application forms, Sample employment agreements, An Internet usage policy, Tips on preventing unauthorized dissemination of information via the Web, A guide for conducting an IP audit, And much, much more.

Protecting Your Songs & Yourself Kent J. Klavens, 1989

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make your mark The Musician's Business and Legal Guide Mark Halloran, 2017-03-16 The Musician's Business and Legal Guide provides vital information to help demystify the music business and the complex body of law that shapes it. This book answers such questions as how to protect name and copyright, what is and is not legal about sampling, what are the legal issues surrounding digital downloads and streaming, what are the jobs of managers, talent agents and publishers, what are common contractual relationships between independent and major labels. The new edition includes chapters not covered in depth by other books: social media law, TV talent shows, YouTube and international copyright. As in previous editions, the book features clause-by-clause contract analyses for 360 record deals, music publishing, management and producer agreements.

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