



# Copyright, trademarks, and intellectual properties

2.1.4

Explain terms related to copyright, trademarks, and other intellectual property



# What is a copyright

A copyright is the exclusive legal right, given to an originator or an assignee to print, publish, perform, film, or record literary, artistic, or musical material, and to authorize others to do the same.



# Copyright myths and misunderstandings

A persistent myth regarding copyrights is, if you change something 30 percent, it's not infringement.

(The same myth exists in the music industry as the 30-second rule.)





# What is a trademark

A trademark is a symbol, word, or words legally registered or established by use as representing a company or product. It's something unique that a business has that separates it from others.



# Trademark myths and misunderstandings

Contrary to common belief, a trademark should be applied to any work. Even when there is no confusion as to what company or creator the work belongs to.





# What is a patent

A patent is a government authority or license conferring a right or title for a set period, especially the sole right to exclude others from making, using, or selling an invention.



# Patent myths and misunderstandings

A patent does not grant worldwide protection. Obtaining a patent from the U.S. Patent Office generally protects only the patent within the U.S.



# Why and where to use these in web design

## Hey, You Stole My Website Design!

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## Why and where cont.

If you steal someone's content or images, your client's site can be shut down by their internet service provider. According to the Digital Millennium Copyright Act, Internet service providers are legally obliged to remove infringing content hosted on their servers when the rightful owner submits a DMCA Takedown Notice.



# Three best practices to protect yourself from copyright infringement

## 1. Never, Ever Use Another's Content without Permission

Just because an item doesn't have a © copyright symbol doesn't mean it's not protected. It's not necessary to register or indicate your work is copyrighted; doing so just makes it easier to enforce.



## Three best practices to protect yourself from copyright infringement cont.

### 2. Protect Yourself from Irresponsible or Ignorant Clients

Many people believe everything on the Internet is public domain. Some simply don't care. Make sure your web design contract states the client warrants that he has the rights to use any content he provides, and will hold you blameless if not.



## Three best practices to protect yourself from copyright infringement cont.

### 3. Be Careful What Rights You Assign

Unlike an illustration or photograph, a website is a business tool that ought to belong to the client. That said, you ought to retain the copyright until the project is complete and you've been paid. At that point, ownership of the site can be transferred to the client.



# Video



**Basic Facts Breakdown**

Trademarks, Patents, and Copyrights



# Resources:

<https://www.uspto.gov/trademarks-getting-started/trademark-basics/trademark-patent-or-copyright>

<https://www.marcaria.com/ws/en/articles/trademark-and-other-intellectual-property-resource-guide>